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The meeting was called to order at 9:45 a.m., with all Members being present, and with Chairman Hanley presiding.

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

2. **PROCLAMATION DESIGNATING THE MONTH OF MARCH 1996 AS "MENTAL RETARDATION AWARENESS MONTH" IN FAIRFAX COUNTY**
(Tape 1)

Supervisor Bulova moved approval of the Proclamation presented to Jessica Burmester, President, of The Arc of Northern Virginia, designating the month of March 1996 as "**Mental Retardation Awareness Month**" in Fairfax County. This motion was seconded jointly by Supervisor Connolly and Supervisor McConnell and carried by unanimous vote.

3. **CERTIFICATES OF RECOGNITION PRESENTED TO VOLUNTEERS AND STAFF OF THE HERITAGE RESOURCES BRANCH, OFFICE OF COMPREHENSIVE PLANNING (OCP)** (Tape 1)

Supervisor Frey moved approval of the Certificates of Recognition presented to the volunteers and staff of the Heritage Resources Branch, Office of Comprehensive Planning (OCP) for work done on the Centreville archaeological excavation exhibit at the Government Center. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Dix being out of the room.

4. **CERTIFICATES OF RECOGNITION PRESENTED TO PAT BRAY, PROVIDENCE DISTRICT REPRESENTATIVE TO THE HISTORY COMMISSION, THE STAFF OF THE HERITAGE RESOURCES BRANCH, OFFICE OF COMPREHENSIVE PLANNING (OCP) AND VOLUNTEERS** (Tape 1)

Supervisor Connolly moved approval of the Certificates of Recognition presented to Pat Bray, Providence District Representative to the History Commission, the staff of the Heritage Resources Branch, Office of Comprehensive Planning (OCP), and volunteers for work done on the display cases for historic artifacts to be installed in each Board Member's office. This motion, the second to which was inaudible, carried by a vote of eight, Supervisor Dix and Supervisor Mendelsohn being out of the room.

Supervisor Connolly recognized the presence of Mr. Bray's nephew, Patrick, and niece, Catherine, in the Board Auditorium and warmly welcomed them to the meeting.

5. **A-6 - PROPOSED POLICY AND PROGRAM GUIDELINES FOR REVITALIZATION (COUNTYWIDE)** (Tape 1)

Supervisor Hyland called the Board's attention to a revised copy of the Policy and Program Guidelines for Revitalization, and asked unanimous consent that the Board direct staff to highlight the changes in the revised copy. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#32.)

6. **CERTIFICATES OF RECOGNITION PRESENTED TO TWO RUSSIAN GOVERNMENT OFFICIALS VISITING FAIRFAX COUNTY AS THE FAIRFAX CORNER IN MOSCOW DELEGATION** (Tape 1)

Supervisor Bulova moved approval of the Certificates of Recognition presented to Vladislav Butov, Chairman of the Chamber of Commerce and Industry of the Russian Federation, and Vladimir Ilichev, Chief of the Department of the Promradtebank, visiting Fairfax County as the Fairfax Corner in Moscow Delegation. This motion, the second to which was inaudible, carried by unanimous vote.

7. **RESOLUTION IN RECOGNITION OF THE 20TH ANNIVERSARY OF THE NORTHWEST CENTER FOR COMMUNITY MENTAL HEALTH** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved adoption of the Resolution, presented to Mary Kudless, Assistant Director, Northwest Center for Community Mental Health (NWCCMH), and Trudy Harsh, President, Advisory Board, of NWCCMH in recognition of the 20th Anniversary of the NWCCMH. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor McConnell being out of the room

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

8. **PROCLAMATION DESIGNATING APRIL 1, 1996 THROUGH APRIL 7, 1996 AS "PUBLIC HEALTH WEEK" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation presented to Marlene Blum, Chairman, Health Care Advisory Board, designating the week of April 1, 1996 through April 7, 1996 as "**Public Health Week**" in Fairfax County. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor McConnell being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

9. **10:00 A.M. - PRESENTATION BY THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) OF ITS ANNUAL REPORT** (Tapes 1-2)

Patricia M. Woolsey, Chairman, Fairfax County Economic Development Authority (EDA) Commission, presented the Annual Report of the EDA.

Following discussion, with input from Gerald I. Gordon, Executive Director, EDA, Supervisor Hyland asked unanimous consent that the Board direct the EDA to furnish the Board with information on:

- The benefits of having a person on staff to help the smaller businesses; and
- What this position has accomplished.

Without objection, it was so ordered.

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10. **10:15 A.M. - PRESENTATION OF THE UPDATE TO THE 1986 PERSPECTIVES ON AGING RESOURCES AND NEEDS (SPA) REPORT** (Tape 3)

Margaret Zitzmann, Chairman, and Ruth Beacom, Vice-Chairman, Fairfax Area Commission on Aging, presented an update to the 1986 Strategic Perspectives on Aging Resources and Needs (SPA) Report.

There was a brief discussion following the report, with input from Carla B. Pittman, Director, Area Agency on Aging.

11. **10:45 A.M. - REPORT ON GENERAL ASSEMBLY ACTIVITIES** (Tape 3)

Supervisor Dix, Co-Chairman, Board's Legislative Committee, briefly outlined the 1996 Legislative Report dated March 18, 1996, and informed Board Members that the final report will be distributed by the end of the week.

12. **INTENT TO DEFER PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 95-M-060 (AMERICAN PCS. LIMITED PARTNERSHIP)**

(MASON DISTRICT) (Tape 3)

Supervisor Gross announced her intent to defer, at the appropriate time, the public hearing on Special Exception Application SE 95-M-060 scheduled for 3:30 p.m. today.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#77.)

13. **10:45 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS** (Tape 3)

(BACs)

(APPTS)

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

(NOTE: The appointment of the Springfield District Representative to the A. Heath Onthank Memorial Award Selection Committee was deferred until later in the meeting. See Clerk's Summary Item CL#82.)

AIRPORTS ADVISORY COMMITTEE

(NOTE: The appointment of the Mason District Representative to the Airports Advisory Committee was deferred.)

ATHLETIC COUNCIL

Supervisor Kauffman moved the reappointment of Mr. Steven Saulnier as the Lee District (Alternate) Representative to the Athletic Council. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

(NOTE: The appointment of the At-Large Representative to the Athletic Council was deferred.)

BOARD OF BUILDING CODE APPEALS

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

CHILD CARE ADVISORY COUNCIL

(NOTE: The appointment of the Dranesville District Representative to the Child Care Advisory Council was deferred.)

COMMISSION FOR WOMEN

(NOTE: The appointment of the Dranesville District Representative to the Commission for Women was deferred.)

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

Supervisor Hyland moved the appointment of Mr. Gregg Holman to fill the unexpired term of Ms. Carmen Hyland as the Mount Vernon District Representative to the Commission on Organ and Tissue Donation and Transplantation. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

COMMUNITY ACTION ADVISORY BOARD

Supervisor Mendelsohn moved the appointment of Mr. Charles R. Davis to fill the unexpired term of Mr. Marc Morano as the Dranesville District Representative to the Community Action Advisory Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Gross moved the reappointment of Ms. Edith Mead as the Mason District Representative to the Community Action Advisory Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

COMMUNITY IMPROVEMENT COMMITTEE

Supervisor Mendelsohn moved the appointment of Mr. George Doumar as the Dranesville District (Westhampton Community) Representative to the Community Improvement Committee. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Dix moved the reappointment of Ms. Kathleen Jensen as the Hunter Mill District Representative to the Community Improvement Committee. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

(NOTE: The appointments of the Braddock and the Mason District Representatives to the Community Improvement Committee were deferred.)

COUNTYWIDE NON-MOTORIZED TRANSPORTATION (TRAILS) COMMITTEE

[NOTE: The appointment of the Mason District Representative to the Countywide Non-Motorized Transportation (Trails) Committee was deferred.]

FAIRFAX/FALLS CHURCH COMMUNITY SERVICES BOARD

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

HEALTH CARE ADVISORY BOARD

(NOTE: The appointment of the Sully District Representative to the Health Care Advisory Board was deferred.)

JUVENILE COURT CITIZEN ADVISORY COUNCIL

(NOTE: The appointment of the Mason District Representative to the Juvenile Court Citizen Advisory Council was deferred.)

LIBRARY BOARD

(NOTE: The appointment of the Sully District Representative to the Library Board was deferred.)

PLUMBING ADVISORY BOARD

[NOTE: The appointment of the At-Large (Professional Engineer) Representative to the Plumbing Advisory Board was deferred.]

REDEVELOPMENT AND HOUSING AUTHORITY

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

Supervisor Connolly moved the appointment of Mr. Carl Coan, III as the Providence District Representative to the Redevelopment and Housing Authority. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to add the new At-Large position on the Redevelopment and Housing Authority to the next Upcoming Appointments listing. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

ROAD VIEWERS BOARD

Chairman Hanley moved the appointment of Mr. John Lovacs as an At-Large Representative to the Road Viewers Board. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

ROUTE 28 HIGHWAY TRANSPORTATION DISTRICT ADVISORY BOARD

Supervisor Frey moved the appointment of Mr. Jack Keller as the At-Large (Resident/Owner) Representative to the Route 28 Highway Transportation District Advisory Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

SMALL AND MINORITY BUSINESS ENTERPRISE PROGRAM ADVISORY COMMISSION

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board:

- Defer the appointments to the Small and Minority Business Enterprise Program Advisory Commission; and
- Direct staff to report with a Consideration Item regarding restructuring this Commission at the next meeting.

This motion was seconded by Vice-Chairman Hyland and carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

TRANSPORTATION SAFETY COMMISSION

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

YOUTH VIOLENCE STEERING COMMITTEE**CONFIRMATIONS:**

Supervisor Hyland moved that the Board confirm the following appointments to the Youth Violence Steering Committee:

- Mr. Celestino Beltran as the Business Community Representative;
- Mr. Joseph Cammarata as the Criminal Justice Advisory Board Representative;
- Mr. Ray Morrough as the Deputy Commonwealth Attorney Representative;
- Ms. Kim Cook as a Diverse Community Population

Representative;

- Ms. Marta Wyatt as a Diverse Community Population Representative;
- Reverend Paul Saddler as the Faith Community Representative;
- Mr. Howard Perlstein as the Federation of Citizens Associations Representative;
- Ms. Nina Pitkin as the School Pyramid/Coalition Representative;
- Mr. Sean Stanley as a Youth Community Representative; and
- Mr. Wilber Serda as a Youth Community Representative.

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

AD-HOCS

CITIZENS ADVISORY COMMITTEE (CAC) ON SOLID WASTE

Following discussion, Supervisor Frey asked unanimous consent that the Board direct staff to report in an Information Item at the next Board meeting with information regarding the structure of this Committee. Without objection, it was so ordered.

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

LOWER POTOMAC CITIZEN ADVISORY COMMITTEE FOR THE DISTRICT OF COLUMBIA (D.C.) DEPARTMENT OF CORRECTIONS PROPERTY IN LORTON

CONFIRMATION:

Supervisor Hyland moved that the Board confirm the following appointment to the Lower Potomac Citizen Advisory Committee for the District of Columbia (D.C.) Department of Corrections Property in Lorton:

- Ms. Mickie Sullivan as the League of Women Voters of the Fairfax Area Representative.

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

TELECOMMUNICATION LAND USE REGULATIONS TASK FORCE**CONFIRMATIONS:**

Supervisor Hyland moved that the Board confirm the following appointments to the Telecommunication Land Use Regulations Task Force:

- Mr. Richard Bierce as the Architectural Review Board Representative; and
- Mr. Mark Emery as the School Board Representative.

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

14. BOARD RECESS (Tape 3)

At 12:10 p.m., the Board recessed briefly.

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At 12:35 p.m., the Board reconvened in the Board Auditorium with all Members being present and with Chairman Hanley presiding.

15. ADMINISTRATIVE ITEMS (Tape 4)

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

Supervisor Bulova asked to amend the motion to defer consideration of Administrative Item 10 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Section 4-6-2, to Raise the Taxable Monthly Bill Ceiling on Non-Residential Utility Taxes until later in the meeting, and this was accepted.

Upon the request of the County Attorney, Chairman Hanley announced that consideration of Administrative Item 18 - Advertisement of a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 67.1 (Sanitary Sewers and Sewage Disposal) To Revise the Sewer Service and Availability Fees (Countywide) would be deferred until after Executive Session.

Supervisor Hyland called the Board's attention to Administrative Item Three - Supplemental Appropriation Resolution (SAR) AS 96064 for the Health Department Primary Care Grant from the Virginia Health Care Foundation and moved to amend the motion by removing the proposals to close the three Affordable Health Care Centers in

Fairfax County from consideration in the Fiscal Year (FY) 1997 Budget. This motion was seconded by Supervisor Dix.

Following discussion, with input from Donna M. Foster, Director, Affordable Health Care Program, Health Department, and Edward L. Long, Jr., Director, Office of Management and Budget, the question was called on the motion to amend which **FAILED** by a recorded vote of seven, Supervisor Dix, Supervisor Kauffman, and Supervisor Hyland voting “**AYE.**”

Supervisor Hyland called the Board’s attention to Administrative Item Seven - Authorization to Advertise a Public Hearing on a Proposed Amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance) Regarding Approval of an Agreement to Establish the Northern Virginia Cigarette Tax Board to Include Provisions Required by Section 15.1-21 of the Code of Virginia. Discussion ensued related to the Northern Virginia Cigarette Tax Board and collection of its revenue, with input from Edward E. Rose, III, Assistant County Attorney; Kevin C. Greenlief, Director, Department of Tax Administration; and Ronald Smith, Administrator, Northern Virginia Cigarette Tax Board.

Supervisor Hyland called the Board’s attention to Administrative Item 15 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic) Regarding the Elimination of Exemption/Discount on Auto Decals/\$0.01 Personal Property Tax on Certain Classes of Personal Property and there was discussion regarding this item with input from Kevin C. Greenlief, Director, Department of Tax Administration.

Supervisor Dix asked that the motion be amended to request that the Board vote seriatimly on Administrative Item Eight through Administrative Item 15, and this was accepted.

Supervisor McConnell asked that the motion be amended to request that the Board also vote seriatimly on Administrative Items 16 and 17, and this was accepted.

The question was then called on the motion to approve the Administrative Items with the exception of Administrative Item Eight through Administrative Item 17, as amended, which carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting “**AYE.**”

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated March 18, 1996 be recommended for acceptance into the State Secondary System as follows:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Edgemore, Sections 2 and 3	Providence	Strathaven Place, Route 7683 Leamoore Lane Darnley Place Gretna Place
Tyson's Woods Park	Providence	Overlook Street Route 3572
Barrington, Section 8	Springfield	Braymore Circle, Route 8771 Bracksford Court Chardon Court
Englewood Mews	Sully	Pickwick Road, Route 1021 Wharton Lane, Route 1166, Additional Right-of-Way Only Mount Gilead Road, Route 670, Additional Right-of-Way Only
Virginia Chase	Sully	Virginia Chase Drive Virginia Chase Court Braddock Road, Route 620, Additional Right-of-Way Only

ADMIN 2 - INSTALLATION OF MULTI-WAY STOPS AT THE INTERSECTION OF TOBIN ROAD AND BEVERLY DRIVE (PROVIDENCE DISTRICT)

Approved the endorsement of the installation of multi-way stops at the following intersection:

- Tobin Road (Route 709) and Beverly Drive (Route 3565); and
- Directed staff to request the Virginia Department of Transportation (VDOT) to approve the installation of the multi-way stops and install these signs at the earliest possible date.

ADMIN 3 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96064 FOR THE HEALTH DEPARTMENT PRIMARY CARE GRANT FROM THE VIRGINIA HEALTH CARE FOUNDATION

(SAR) (NOTE: Earlier in the meeting, there was discussion regarding this item. See Page 10.)

Approved Supplemental Appropriation Resolution (SAR) AS 96064 in the amount of \$168,838 for the Health Department Primary Care Grant from the Virginia Health Care Foundation for use at the North County Health Center.

ADMIN 4 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96065 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD TO ACCEPT \$79,901 FROM THE VIRGINIA DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 96065 in the amount of \$79,901 for the Fairfax-Falls Church Community Services Board from the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services for the Alcohol and Drug Services to provide youth assessment, case management and treatment services.

ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING USES ALLOWED IN THE CONVENTION/CONFERENCE CENTER DESIGNATION OF THE PRC DISTRICT

(A)

(R) Adopted a Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on April 17, 1996, and before the Board on **May 13, 1996 at 3:30 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding uses allowed in the convention/conference center designation of the PRC District.

ADMIN 6 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR THE ENLARGEMENT OF A LOCAL SANITARY DISTRICT FOR REFUSE AND LEAF COLLECTION SERVICE (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 29, 1996 at 3:30 p.m.** to consider the following change to a local sanitary district for refuse and leaf collection service in accordance with the Board's adopted criteria for the Creation/Enlargement/Withdrawal of Small or Local Sanitary Districts:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Local District A-1-1 within Small District 1 within Dranesville District	Enlarge	Refuse and Leaf	Approve

ADMIN 7 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE) REGARDING APPROVAL OF AN AGREEMENT TO ESTABLISH THE NORTHERN VIRGINIA CIGARETTE TAX BOARD TO INCLUDE PROVISIONS REQUIRED BY SECTION 15.1-21 OF THE CODE OF VIRGINIA

- (A) (NOTE: Earlier in the meeting there was discussion regarding this item. See Page 10.)

Authorized the advertisement of a public hearing to be held before the Board on **April 29, 1996 at 4:00 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance) regarding approval of an agreement to establish the Northern Virginia Cigarette Tax Board to include provisions required by Section 15.1-21 of the *Code of Virginia*.

ADMIN 8 - AUTHORIZATION TO ADVERTISE PUBLICATION OF THE FISCAL YEAR (FY) 1997 BUDGET AND REQUIRED TAX RATES

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

ADMIN 9 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), SECTION 4-6-8, TO INCREASE TAX FOR ENHANCED 911 EMERGENCY TELEPHONE SERVICE FOR FISCAL YEAR (FY) 1997 AND FY 1998

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#17.)

ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX,

CHAPTER 4 (TAXATION AND FINANCE) SECTION 4-6-2, TO RAISE THE TAXABLE MONTHLY BILL CEILING ON NON-RESIDENTIAL UTILITY TAXES

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Items CL#81 and CL#87.)

ADMIN 11 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE) SECTION 4-24-1, REGARDING THE IMPLEMENTATION OF A MOBILE LOCAL TELECOMMUNICATIONS TAX OF 10 PERCENT, WITH A MAXIMUM TAXABLE CEILING OF \$30

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#19.)

ADMIN 12 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE) SECTION 4-25-1, REGARDING THE IMPLEMENTATION OF A FEE FOR EMERGENCY MEDICAL SERVICE TRANSPORT

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#20.)

ADMIN 13 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE) SECTIONS 4-15-1 THROUGH 4-15-8 REGARDING RENT RELIEF OF THE LOW-INCOME ELDERLY AND DISABLED

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#21.)

ADMIN 14 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 30 (MINIMUM FACILITY STANDARDS) SECTIONS 30-3-1 AND 30-3-7, REGARDING THE REDUCTION OF THE INSPECTION FREQUENCY AND ASSESS AN INITIAL AND RENEWAL PERMIT FEE FOR PERSONS CARING FOR YOUNG CHILDREN IN THEIR HOMES

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#22.)

ADMIN 15 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC) REGARDING THE ELIMINATION OF EXEMPTION/DISCOUNT ON AUTO DECALS/\$0.01 PERSONAL PROPERTY TAX ON CERTAIN CLASSES OF PERSONAL PROPERTY

(NOTE: Earlier in the meeting, there was discussion regarding this item. See Page 10.)

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#23.)

ADMIN 16 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 62 (FIRE PROTECTION)

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#24.)

ADMIN 17 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE CURRENT APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 1996 REVISED BUDGET PLAN

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#25.)

ADMIN 18 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67.1 (SANITARY SEWERS AND SEWAGE DISPOSAL) TO REVISE THE SEWER SERVICE CHARGES AND THE AVAILABILITY FEES (COUNTYWIDE)

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#71.)

16. **ADMIN 8 - AUTHORIZATION TO ADVERTISE PUBLICATION OF THE FISCAL YEAR (FY) 1997 BUDGET AND REQUIRED TAX RATES** (Tape 4)

(A) Supervisor Bulova moved that the Board authorize the advertisement of:

- A brief synopsis of the County Executive's proposed Fiscal Year (FY) 1997 Budget and a notice of proposed adoption of a Resolution appropriating funds for FY 1997 to be advertised during the week ending March 22, 1996; and

- A real estate tax rate increase of \$0.17 per \$100 of assessed value, from the current rate of \$1.16 to \$1.33 per \$100 of assessed value, as proposed by the County Executive.

This motion was seconded by Supervisor Frey and **CARRIED** by a recorded vote of seven, Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn voting "NAY."

17. **ADMIN 9 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), SECTION 4-6-8, TO INCREASE TAX FOR ENHANCED 911 EMERGENCY TELEPHONE SERVICE FOR FISCAL YEAR (FY) 1997 AND FY 1998** (Tape 4)

- (A) Supervisor Bulova moved that the Board authorize the advertisement of a public hearing to be heard before the Board on **April 8, 1996 at 4:30 p.m.**, decision to be made on April 22, 1996, on proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Section 4-6-8, to increase the tax for enhanced 911 emergency telephone service from \$1.30 per line per month to \$1.69 per line per month in Fiscal Year (FY) 1997 and an increase to \$2.34 per line per month in FY 1998. This motion was seconded by Supervisor Frey and **CARRIED** by a recorded vote of seven, Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn voting "NAY."

18. **ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE) SECTION 4-6-2, TO RAISE THE TAXABLE MONTHLY BILL CEILING ON NON-RESIDENTIAL UTILITY TAXES** (No Tape)

(NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk's Summary Items CL#81 and CL#87.)

19. **ADMIN 11 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE) SECTION 4-24-1, REGARDING THE IMPLEMENTATION OF A MOBILE LOCAL TELECOMMUNICATIONS TAX OF 10 PERCENT, WITH A MAXIMUM TAXABLE CEILING OF \$30** (Tape 4)

- (A) Supervisor Bulova moved that the Board authorize the advertisement of a public hearing to be held before the Board on **April 8, 1996 at 4:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Section 4-24-1 regarding the implementation of a mobile local telecommunications tax of 10 percent, with a maximum taxable ceiling of \$30. This motion was seconded by Supervisor Frey and **CARRIED** by a recorded vote of nine, Supervisor Mendelsohn voting "NAY."

20. **ADMIN 12 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE) SECTION 4-25-1, REGARDING THE IMPLEMENTATION OF A FEE FOR EMERGENCY MEDICAL SERVICE TRANSPORT** (Tape 4)
- (A) Supervisor Bulova moved that the Board authorize the advertisement of a public hearing to be held before the Board on **April 8, 1996 at 4:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Section 4-25-1 regarding the implementation of a fee for emergency medical service transport. This motion was seconded by Supervisor Frey and **CARRIED** by a recorded vote of eight, Supervisor Dix and Supervisor McConnell voting “NAY.”
21. **ADMIN 13 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE) SECTIONS 4-15-1 THROUGH 4-15-8 REGARDING RENT RELIEF OF THE LOW-INCOME ELDERLY AND DISABLED** (Tape 4)
- (A) Supervisor Bulova moved that the Board authorize the advertisement of a public hearing to be held before the Board on **April 8, 1996 at 4:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Sections 4-15-1 through 4-15-8 regarding rent relief of the low-income elderly and disabled. This motion was seconded by Supervisor Frey and **CARRIED** by a recorded vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell voting “NAY.”
22. **ADMIN 14 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 30 (MINIMUM FACILITY STANDARDS) SECTIONS 30-3-1 AND 30-3-7, REGARDING THE REDUCTION OF THE INSPECTION FREQUENCY AND ASSESS AN INITIAL AND RENEWAL PERMIT FEE FOR PERSONS CARING FOR YOUNG CHILDREN IN THEIR HOMES** (Tape 4)
- (A) Supervisor Bulova moved that the Board authorize the advertisement of a public hearing to be held before the Board on **April 8, 1996 at 4:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 30 (Minimum Facility Standards) Section 30-3-1 and 30-3-7 regarding the reduction of the frequency of home child care inspections from once a year to once every two years, and implementing a \$140 initial permit fee and an \$80 renewal permit fee. This motion was seconded by Supervisor Frey and carried by unanimous vote.

23. **ADMIN 15 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC) REGARDING THE ELIMINATION OF EXEMPTION/DISCOUNT ON AUTO DECALS/\$0.01 PERSONAL PROPERTY TAX ON CERTAIN CLASSES OF PERSONAL PROPERTY** (Tape 4)

- (A) (NOTE: Earlier in the meeting, the Board discussed this item. See Clerk's Summary Item CL#15.)

Supervisor Bulova moved that the Board authorize the advertisement of a public hearing to be held before the Board on **April 8, 1996 at 4:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic) regarding the elimination of the exemption/discount on auto decals/\$0.01 Personal Property Tax on certain classes of personal property. This motion was seconded by Supervisor Frey and **CARRIED** by a vote of seven, Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn voting "NAY."

24. **ADMIN 16 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 62 (FIRE PROTECTION)** (Tape 4)

- (A) Supervisor Bulova moved that the Board authorize the advertisement of a public hearing to be held before the Board on **April 8, 1996 at 4:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 62 (Fire Protection) to revise existing fees and establish new fees. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

25. **ADMIN 17 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE CURRENT APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 1996 REVISED BUDGET PLAN** (Tape 4)

- (A) Supervisor Bulova moved that the Board authorize the advertisement of a public hearing to be held before the Board on **April 8, 1996 at 7:30 p.m.** to increase the Fiscal Year (FY) 1996 appropriation level for both the County and the Schools' FY 1996 Third Quarter Review. This motion was seconded by Supervisor Frey and carried by unanimous vote.

26. **ADMIN 18 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67.1 (SANITARY SEWERS AND SEWAGE DISPOSAL) TO REVISE THE SEWER SERVICE CHARGES AND THE AVAILABILITY FEES (COUNTYWIDE)** (No Tape)

(NOTE: Later in the meeting, action was taken by the Board to advertise this public hearing to be held on **April 8, 1996 at 4:30 p.m.** See Clerk's Summary Item CL#71.)

27. **A-1 - AUTHORIZATION TO PAY FISCAL YEAR (FY) 1996 FOURTH**

**QUARTER WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY
(WMATA) BILLING (COUNTYWIDE)** (Tape 4)

- (R) Following discussion, with input from Shiva K. Pant, Director, Office of Transportation (OT), and Andrew J. Szakos, Chief, Transit Operations Division, OT, Supervisor Hyland moved that the Board concur in the recommendation of staff and adopt the Resolution authorizing payment to the Washington Metropolitan Area Transit Authority (WMATA) of the Fiscal Year (FY) 1996 fourth quarter transit operating and capital billing in the net amount of \$12,832,999. This motion was seconded by Supervisor Kauffman.

Supervisor Dix asked unanimous consent that the Board direct staff to keep Board Members apprised as to the status of payments and impact on service in other jurisdictions in the metropolitan area which are in arrears in the payment of their operating costs to WMATA. Without objection, it was so ordered.

The question was called on the motion which carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

28. **A-2 - DESIGNATION OF VIRGINIA DEPARTMENT OF TRANSPORTATION
(VDOT) REVENUE SHARING FUNDS AND MATCHING FAIRFAX COUNTY
FUNDS FOR FISCAL YEAR (FY) 1997 (SULLY DISTRICT)** (Tape 4)

- (R) On motion of Supervisor Frey, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the Resolution authorizing a maximum of \$500,000 in Fiscal Year (FY) 1997 Virginia Department of Transportation (VDOT) Revenue Sharing Program Funds and \$500,000 in matching Fairfax County Funds using Subfund 447 (Contributed Road Improvement Fund) to improve the Stone Road/Poplar Tree Road/Braddock Road intersection and to provide an auxiliary lane on the Fairfax County Parkway northbound from the I-66 ramp to the right turn at Fair Lakes Parkway.

29. **A-3 - PREALLOCATION PUBLIC HEARING FOR VIRGINIA DEPARTMENT
OF TRANSPORTATION (VDOT) HIGHWAY AND TRANSIT FUNDS FOR
FISCAL YEAR (FY) 1997 (COUNTYWIDE)** (Tapes 4-5)

Supervisor McConnell moved that the Board concur in the recommendation of staff and approve the highway and transit projects for funding by the Virginia Department of Transportation (VDOT) for Fiscal Year (FY) 1997 and the update of the associated Six Year Program for FY 1997 through FY 2002. This motion was seconded by Supervisor Bulova.

Following discussion, with input from Shiva K. Pant, Director, Office of Transportation (OT), and Katharine D. Ichter, Chief, Highway Operations Division, OT, Supervisor Kauffman referred to page 72 of the Memorandum to the Board dated March 18, 1996, under the section dealing with the I-95/I-395/I-495 Interchange, and moved to amend the motion by changing the language of the last sentence of this section to read, "VDOT is currently reviewing this plan." This motion was seconded by Supervisor Hyland.

Following further discussion and input from Mr. Pant, Supervisor Dix asked to amend the motion to amend to add the language, "...in accordance with the current position of the Board of Supervisors," to the last sentence which would then read, "VDOT is currently reviewing this plan in accordance with the current position of the Board of Supervisors," and this was accepted.

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

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

30. **A-4 - WOODROW WILSON BRIDGE IMPROVEMENT STUDY LOCATION PUBLIC HEARING (COUNTYWIDE)** (Tape 5)

Supervisor Hyland moved that the Board defer action on the Woodrow Wilson Bridge Improvement Study until after a briefing, scheduled for April 2, 1996, on the staff analysis of a high bridge option in the current alignment. This motion was seconded by Supervisor Kauffman.

Supervisor Dix asked to amend the motion to include an opportunity for regional groups to assist in the development of a consensus on a regional position regarding the Woodrow Wilson Bridge, and this was accepted.

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

31. **A-5 - APPROVAL OF VIRGINIA HOUSING DEVELOPMENT AUTHORITY FINANCING FOR FOREST GLEN AT SULLY STATION, PHASE II (SULLY DISTRICT)** (Tape 5)

- (R) On motion of Supervisor Frey, seconded by Supervisor Connolly, and carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," the Board concurred in the recommendation of staff and approved the Resolution and certification of approval for the Virginia Housing Development Authority (VHDA) financing for the proposed Forest Glen at Sully Station, Phase II, apartment project.

32. **A-6 - PROPOSED POLICY AND PROGRAM GUIDELINES FOR REVITALIZATION (COUNTYWIDE)** (Tape 5)

(NOTE: Earlier in the meeting, there was discussion regarding this item. See Clerk's Summary Item CL#5.)

Supervisor moved that the Board concur in the recommendation of staff and refer the Proposed Policy and Program Guidelines for Revitalization to the Board's Committee on Revitalization Policy for review and recommendations to the Board. This motion was seconded by Supervisor Gross.

Supervisor Dix referred to handwritten page 30, Tax Exemptions for Rehabilitated Property, and asked to amend the motion to include a recommendation that the Committee examine a broader approach towards the limitation on tax abatement programs for both residential and non-residential properties. Specifically, Supervisor Dix referred to the Board's August 7, 1995 recommendation and asked for its inclusion as a broader approach toward the concept of tax abatement, and this was accepted.

Supervisor Kauffman asked to amend the motion to refer this matter to the "Board's Committee on Revitalization Policy and all area revitalization and redevelopment groups," and this was accepted.

Supervisor Dix reiterated the fact that there are other areas in the County that are not within the defined parameters of the revitalization areas, areas where reinvestment is also necessary. He asked to amend the motion to also include District Councils in the review process, and this was accepted.

Supervisor Hyland asked to amend the motion to also invite representatives of community groups to participate in this process, and this was accepted.

Following discussion, with input from Kathleen A. Mitchell, Director, Revitalization Division, Department of Housing and Community Development (HCD), Supervisor Hyland referred to handwritten page 17, specifically the reference to proposed changes in the State law, and asked to amend the motion to include staff review and update on the status of these changes, and this was accepted.

Supervisor Hyland referred to handwritten page 18 regarding the issue of Spot Blight Abatement, and asked to amend the motion to include a request for staff review of the County's authority to demolish abandoned properties, which is a major issue particularly in the Route 1 Corridor, and this was accepted.

Supervisor Hyland referred to handwritten page 31 and asked to amend the motion to request staff's response regarding the revenue impact on tax abatement issues, and this was accepted.

Supervisor Hyland referred to handwritten page 33 and asked to amend the motion to request a staff update on the proposal for changes to the State law which would provide enabling legislation pertaining to the acreage requirement, and this was accepted.

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

33. **I-1 - FAIRFAX COUNTY'S COMMENTS REGARDING THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY'S PROPOSED FISCAL YEAR (FY) 1997 METRORAIL CONSTRUCTION BUDGET (COUNTYWIDE)**
(Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated March 18, 1996 requesting authorization for staff to respond to the Washington Metropolitan Transit Authority (WMATA) with comment on the proposed Fiscal Year (FY) 1997 Rail Capital Program Budget.

34. **I-2 - PUBLIC MEETINGS REGARDING FAIRFAX CONNECTOR AND RIBS BUS SERVICE REDUCTIONS INCLUDED IN FISCAL YEAR (FY) 1997 ADVERTISED BUDGET (COUNTYWIDE)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated March 18, 1996 announcing the following FAIRFAX CONNECTOR public meetings:

<u>Date and Time</u>	<u>Location</u>
March 26, 1996 7:00 p.m.	Lee High School Cafeteria 6540 Franconia Road, Springfield
March 28, 1996 7:00 p.m.	Mount Eagle Elementary School Cafeteria 6116 North Kings Highway, Alexandria
March 30, 1996 10:00 a.m.	Massey Building 4100 Chain Bridge Road, Fairfax

35. **I-3 - CERTIFICATION FOR TAX CREDIT APPLICATION FOR RANDOM HILLS AFFORDABLE HOUSING (SULLY DISTRICT)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated March 18, 1996 requesting authorization for staff to sign a letter from the County for the Random Credit, LLC tax credit application, which has been submitted to the Virginia Housing Development Authority (VHDA) on March 1, 1996, for the Random Hills Affordable Housing development to be located at the corner of Random Hills Road and Ridge Top Road in the Fairfax Center area. Staff will forward the letter to VHDA.

The staff was directed administratively to proceed as proposed.

36. **I-4 - AMENDMENTS TO THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE (VUSBC) - NEW CONSTRUCTION CODE** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated March 18, 1996 presenting the Virginia Board of Housing and Community Development's recent adopted amendments to Volume I of the Virginia Uniform Statewide Building Code (VUSBC), 1993 Edition. A summary of the changes and a brief description is outlined in the Memorandum to the Board.

37. **I-5 - CLOSED CAPTIONING OF BOARD OF SUPERVISORS' MEETINGS ON CHANNEL 16** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated March 18, 1996 requesting authorization for staff to proceed with a Request for Proposals (RFP) to close-caption Board meetings.

The staff was directed administratively to proceed as proposed.

38. **I-6 - AWARD OF CONTRACTS - PUBLIC SAFETY RADIO COMMUNICATIONS SYSTEM AND CONSULTANT SERVICES** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated March 18, 1996 requesting authorization for staff to award a contract to Motorola, Incorporated for a 10 year term, for a total of \$26,964,798 [this price includes complete system maintenance, which will result in the elimination of four positions in the Department of Information Technology (DIT); those positions maintain the current radio system]; and, a sole source contract award to RAM Communications Consultants, Incorporated for \$450,000 for a four-year term.

The staff was directed administratively to proceed as proposed.

BOARD MATTERS

39. **EMPLOYEES' CHILD CARE CENTER COOKBOOK** (Tape 5)

Chairman Hanley stated that the Employees' Child Care Center Cookbook, compiled by the Parent Committee, is now on sale at the price of \$10.50 each. Individuals who wish to purchase the cookbook may contact the Center at (703) 324-7370.

40. **REQUIREMENT FOR A SPECIAL EXCEPTION APPLICATION TO INSTALL CANOPIES OVER GASOLINE PUMPS** (Tape 5)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to:

- Review the requirement for a Special Exception Application to install canopies over gasoline pumps; and
- Determine whether this is something which staff might be considering as not requiring a Special Exception Application.

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

41. **NUTRIENT REDUCTION STRATEGY FOR CHESAPEAKE BAY** (Tape 5)

Chairman Hanley asked unanimous consent that the Board direct staff to review a letter from Becky Norton Dunlop, Secretary, Department of Natural Resources, Commonwealth of Virginia, and keep the Board apprised regarding a meeting to discuss the nutrient reduction strategy for the Chesapeake Bay. Without objection, it was so ordered.

42. **REQUEST FROM FAIRFAX COUNTY WATER AUTHORITY FOR INCREASE IN MEMBERS' SALARIES** (Tape 5)

(BACs)

Chairman Hanley called the Board's attention to a letter dated March 2, 1996 from the Fairfax County Water Authority requesting an increase in Members' salaries for service on the Authority Board.

43. **UPDATE ON THE DECLINATION BY THE FEDERAL COMMUNICATION COMMISSION (FCC) OF FAIRFAX COUNTY'S PETITION FOR MEDIA GENERAL CABLE TO REDUCE ITS RATES AND PROVIDE REFUNDS TO CONSUMERS** (Tape 5)

Chairman Hanley asked unanimous consent that the Board direct staff to provide an update, in the form of an Information Item, on the Federal Communication Commission's (FCC) declination of Fairfax County's petition for Media General Cable to reduce its rates and provide refunds to consumers. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

CM:cm

44. **NATIONAL CRIME VICTIMS' RIGHTS WEEK** (Tape 6)

Supervisor Dix announced that National Crime Victims' Rights Week will be observed April 21 through April 27 and that there will be a ceremony in the Forum at the Government Center on Thursday, April 25, 1996, to which all Board Members, as well as the public, are cordially invited. Refreshments will be available in the reception area at 9:00 a.m., with the ceremony beginning at 10:00 a.m. Mr. John Walsh will be the guest speaker.

Supervisor Dix moved that the Board direct staff to invite Ms. Carroll Ellis of the Victim Witness Unit of the Fairfax County Police Department and any others she deems appropriate, to appear before the Board to accept a Proclamation on April 22, 1996 declaring that week as National Crime Victims' Rights Week in Fairfax County. This motion was seconded by Supervisor Hyland.

Following discussion, Supervisor Dix asked to amend his motion to present the Proclamation at the Board meeting of April 8, 1996, and this was accepted.

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

45. **PUBLIC MEETINGS IN THE HUNTER MILL DISTRICT RELATING TO THE BUDGET** (Tape 6)

Supervisor Dix announced that he would be scheduling two public meetings to receive input, both verbal and written, relating to the budget. The first meeting will be held March 25, 1996 at Langston Hughes Middle School at 5:30 p.m. There will be a brief presentation by Edward L. Long, Jr., Director, Office of Management and Budget and public testimony will be presented from 6:00 - 10:00 p.m. The second meeting will be held April 2, 1996 at the Vienna Town Hall Council Chambers beginning at 5:30 p.m. with public testimony from 6:00-10:00 p.m.

46. **BASKETBALL CHAMPIONSHIP** (Tape 6)

Supervisor Dix announced that the 10 year old boys basketball team that he coaches won the County Championship Tournament at Lee High School and will now represent Fairfax County in the Metro Tournament by playing teams from Maryland and the District of Columbia (D.C.), as well as other parts of Virginia.

PMH:pmh

47. **NO BOARD MATTERS FOR BRADDOCK DISTRICT SUPERVISOR SHARON BULOVA** (Tape 7)

Supervisor Sharon Bulova announced that she had no Board Matters to present today.

48. **METRO BUS PUBLIC HEARINGS** (Tape 7)

Supervisor Kauffman commended staff for the work regarding the Metro Bus public hearings. He announced that the public hearings are scheduled for:

- April 16, 1996 - 7:30 p.m. at both the Massey Building and the Hammond School;
- April 17, 1996 - 7:30 p.m. at both the George Mason Junior/Senior High School and the Arlington County Board Room; and
- April 18, 1996 - 7:30 p.m. at Key Intermediate School.

Supervisor Kauffman asked unanimous consent that the Board direct staff to, if possible, find a location that is closer than the Key Intermediate School to the dividing between the Mount Vernon and Lee Districts. Without objection it was so ordered.

49. **STUART HIGH SCHOOL'S BOYS BASKETBALL TEAM WINS THE CHAMPIONSHIP OF THE NORTHERN REGION, AND ADVANCES TO THE STATE TOURNAMENT** (Tape 7)

Supervisor Gross congratulated the Stuart High School Boys Basketball Team on their remarkable season. For the first time in the history of the school, Stuart won the championship of the Northern Region, and advanced to the State tournament. Their run finally came to an end in the State quarterfinals, in overtime, but not before setting a Virginia record for most three-pointers in a Group AAA tournament game. The team created a lot of excitement in the area, and was most impressive in the way it steadily improved throughout the season.

50. **MASON DISTRICT TOWN MEETING** (Tape 7)

Supervisor Gross announced that she will be hosting a Town Meeting, open to all residents of Mason District. The meeting will be held on Saturday, March 23, 1996 at the Lacey Center, 3705 Crest Drive in Annandale from 10:00 a.m. until 11:30 a.m. This is a good opportunity for residents to discuss any concerns with her, such as traffic, land use, revitalization, education, and the budget.

51. **SIMULTANEOUS AND CONCURRENT PROCESSING FOR SPECIAL EXCEPTION APPLICATION SE 96-P-004 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 87-P-038** (Tape 7)

Supervisor Connolly stated that Atlantic Homestead Village Incorporated has concurrently filed Special Exception Application SE 96-P-004 and Proffered Condition Amendment Application PCA 87-P-038 for low-rise hotel which will be incorporated into the Willow

Oaks Corporate Center located at the intersection of Route 50 and Gallows Road. The public hearing is scheduled before the Planning Commission on May 23, 1996. To meet the 1996 construction timetable the applicant has requested concurrent processing for the applications and Site Plan submissions.

Therefore, Supervisor Connolly moved that the Board direct staff to simultaneously and concurrently process the review of the appropriate and necessary engineering and construction drawings and permits associated with Special Exception Application SE 96-P-004 and Proffered Condition Amendment Application PCA 87-P-038. 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 application in any way. This motion was seconded by Supervisor Frey and carried by a vote of nine, Supervisor McConnell being out of the room.

52. **PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) TO CONSIDER A NEW USE CLASSIFICATION "SHOWROOM"** (Tape 7)

Supervisor Connolly stated that a zoning enforcement issue exists at the Washington Gift Center [Tax Map Reference 56-2((1))74 and 74A], and located in the southwest quadrant of the intersection of Waples Mill Road and Pender Drive. The Washington Gift Center, an existing tenant at this location, is a business that displays gift items. Shop owners and other retail users come to the Gift Center to view merchandise and to take orders through catalogs. The merchandise is then sent directly to the purchaser. The Gift Center does not maintain a warehouse on the property or provide other services that are typical of a wholesale warehouse situation.

Supervisor Connolly said that the Zoning Administrator has determined the Washington Gift Center to be a wholesale trade establishment as defined by the Zoning Ordinance. It became a zoning enforcement issue when it was determined that a wholesale trade establishment is not permitted in the C-6 District.

Therefore, Supervisor Connolly moved that the Board direct staff to prepare a proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to consider a new use classification, perhaps "showroom" that would permit establishments such as the Washington Gift Center in commercial districts other than the C-8 District. This motion was seconded by Supervisor Gross and carried by a vote of eight, Supervisor Dix and Supervisor McConnell being out of the room.

53. **SIMULTANEOUS AND CONCURRENT PROCESSING FOR PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION PCA/FDPA 85-P-038-1** (Tape 7)

Supervisor Connolly referred to his written Board Matters and moved that the Board direct staff to simultaneously and concurrently process the review of the appropriate and necessary engineering and construction drawings and permits associated with Proffered Condition Amendment Application/Final Development Plan Amendment PCA/FDPA 85-P-038-1. 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 application in any way. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Dix and Supervisor McConnell being out of the room.

54. **CONCURRENT PROCESSING FOR SPECIAL EXCEPTION APPLICATION SE 95-P-014** (Tape 7)

Supervisor Connolly moved that the Board direct staff to concurrently process the review of the Site Plan and appropriate and necessary engineering and construction drawings and permits associated with Special Exception Application SE 95-P-014. 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 application in any way. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Dix and Supervisor McConnell being out of the room.

55. **AUTHORIZATION FOR THE FILING OF AN AMENDED REZONING APPLICATION (RZ 95-P-061)** (Tape 7)

Supervisor Connolly moved that the Board authorize the filing of an amended Rezoning Application RZ 95-P-061 (J.A. Loveless, Incorporated) which includes a portion of the dedicated right-of-way of Oakton Drive. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Dix and Supervisor McConnell being out of the room.

56. **SNOW SUMMIT** (Tape 7)

Supervisor Connolly announced that the Snow Summit with the Virginia Department of Transportation (VDOT) is scheduled for Tuesday, March 19, 1996 at the Government Center in the Board Auditorium from 1:00 p.m. until 4:00 p.m.

NV:nv

57. **SULLY DISTRICT TOWN MEETING** (Tape 8)

Supervisor Frey announced that he and Gary Reese, Sully District Representative to the School Board, will be hosting a town meeting on Tuesday, April 2, 1996 at 7:30 p.m. in the lecture hall at Chantilly High School. While the primary issue will be the budget, Supervisor Frey did note that he had invited representatives of various County Boards, Authorities, and Commissions (BACs) to discuss other issues as well.

58. **SIMULTANEOUS PROCESSING OF A SITE PLAN AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 85-D-062, ST. LUKE'S SCHOOL** (Tape 8)

Supervisor Mendelsohn moved that the Board direct the Director of the Department of Environmental Management (DEM) to simultaneously process a Site Plan for St. Luke's School during the processing of Special Exception Amendment Application SEA 85-D-062 for property located on Tax Map Number 21-4-1-6 in McLean. Supervisor Mendelsohn noted that this motion does not anticipate support by him or the Board for the Application which will be considered at a later date. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being out of the room.

59. **USE OF GREAT FALLS COMMUNITY LIBRARY SITE AS TEMPORARY SOCCER FIELDS** (Tape 8)

Supervisor Mendelsohn called the Board's attention to his written Board Matter regarding the use of a portion of the proposed Great Falls Community Library Site as temporary soccer fields by the Great Falls Athletic Association. Citing precedence for this action in the County, Supervisor Mendelsohn moved that the Board:

- Approve an expedited processing for the required 456 Public Facilities Application simultaneous with an expedited Site Plan review; and
- Direct the County Executive to involve those persons on County staff who are critical for such an expedited process to prepare the field for use as soon as possible.

This motion was seconded by Supervisor Hyland.

Chairman Hanley noted that this motion does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards. The question was called on the motion which carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

60. **WAIVER OF FEES FOR FRIENDS OF PLEASANT GROVE** (Tape 8)

Supervisor Mendelsohn called the Board's attention to his written Board Matter regarding the Friends of Pleasant Grove Church which was granted a Public Benefit Association status in August 1993 to manage and preserve the Pleasant Grove Church. The Church is now being readied to open its basement as a small black history museum and modifications are necessary to the approved Plans.

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

- Waive final permit fees, which should not exceed \$500; and

- Expedite approval of the Plans.

Supervisor Mendelsohn noted that this motion does not relieve the applicant from compliance with all applicable ordinances, regulations, or adopted standards. This motion was seconded by Supervisor Hyland.

Following discussion, with input from David P. Bobzien, County Attorney, who stated this waiver was allowable because the historic church is not to be used as a church, the question was called on the motion which carried by a vote of nine, Supervisor McConnell being out of the room.

61. **REVENUE IMPACT OF FEE WAIVERS** (Tape 8)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide a summary of the impact of fee waivers for the current and previous two fiscal years in conjunction with budget discussions.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

62. **SUBDIVISION ISSUE IN MOUNT VERNON DISTRICT** (Tape 8)

Supervisor Hyland called the Board's attention to his written Board Matter regarding a request on behalf of a Mount Vernon District resident who embarked on a "simple subdivision" process about two years ago. To date, after much time and expense, the problem has not been resolved.

Supervisor Hyland moved that the Board direct staff to reconsider its resubmission request in this case and that any associated fees, up to the amount of \$225, be waived, subject to advice from the County Attorney that this fee is waivable. This motion was seconded by Supervisor Connolly.

Following discussion, with input from David P. Bobzien, County Attorney, who advised that this fee to a private citizen could not be waived, Supervisor Hyland withdrew his motion.

63. **SOCCER FOR THE FINANCIALLY DISADVANTAGED** (Tape 8)

Supervisor Hyland called the Board's attention to his written Board Matter regarding the Gunston Soccer Foundation, a grassroots, non-profit volunteer organization that promotes soccer for children in the Mount Vernon and Lee Districts. The Foundation is committed to the philosophy that all children have the right to play soccer regardless of financial constraints.

Accordingly, Supervisor Hyland moved that the Board direct staff to publicize the fundraising efforts of this worthy program to assist in securing sponsors from the greater Fairfax County community to allow needy children to participate in the soccer program. The cost of sponsoring one child for one season is \$35. Any contribution, no matter how small or how large will help these 84 needy kids play soccer. Individuals or businesses

can also either sponsor a team with the Foundation placing the sponsor's name on the players' jerseys, or purchase an ad in the Foundation's newsletter which will attract 600 readers. Contributions should be sent to:

Fox Parker, President of Gunston Soccer Foundation
P.O. Box 302
Mount Vernon, VA 22121-0302.

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

64. **WHAT PRICE TECHNOLOGY?** (Tape 8)

Supervisor Hyland called the Board's attention to his written Board Matter regarding the necessity of spending \$20 million on Information Technology (IT). He specifically referred to the issue of software upgrades and those changes in IT that may occur automatically without the need to upgrade. Accordingly, he asked unanimous consent that the Board direct staff to review this issue to ensure that IT funds are not being spent unnecessarily. Without objection, it was so ordered.

65. **"DR. RAJANDRA N. WAGHRAY DAY"** (Tape 8)

Supervisor Hyland called the Board's attention to his written Board Matter regarding the retirement of Dr. Rajandra N. Waghray from the Virginia Cooperative Extension Service in Fairfax County and his numerous accomplishments and an upcoming Roast in his honor.

Accordingly, Supervisor Hyland moved that the Board:

- Designate Friday, March 22, 1996 as "**Dr. Rajandra N. Waghray Day**"; and
- Direct staff to prepare a Resolution recognizing Dr. Waghray's many outstanding accomplishments for presentation at his Roast on March 22, 1996.

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

66. **APPOINTMENT TO THE TELECOMMUNICATION LAND USE REGULATIONS TASK FORCE (MONOPOLES)** (Tape 8)

(APPT)

Supervisor McConnell moved the appointment of Mr. Matthew D. Foosaner to fill the unexpired term of Mr. Frank McDermott as the NEXTEL Representative to the Telecommunications Land Use Regulations Task Force (Monopoles). She also mentioned that the Economic Advisory Commission (EAC) is interested in representation on this Task Force and that she would pursue this matter in the future. This motion, the second to which was inaudible, carried by unanimous vote.

67. **RECESS/EXECUTIVE SESSION** (Tape 8)

At 2:25 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:

- *Friendswood Development Company versus Board of Supervisors of Fairfax County, Virginia, At Law Number 128910;*
- *Fairfax Associates versus Board of Supervisors, et al., At Law Number 128697;*
- Failing Septic Systems;
- *Rotonda Realty, Incorporated, et al., versus Board of Supervisors of Fairfax County, Virginia, et al., In Chancery Number 57346;*
- *Rita Warren versus Fairfax County Board of Supervisors Chairperson Katherine K. Hanley, et al., In Chancery Number 142444; and*
- District of Columbia (D.C.) Water and Sewer Authority Establishment and Department of Public Works Reorganization Act.

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

SBE:sbe

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

ACTIONS FROM EXECUTIVE SESSION

68. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 9)

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only matters identified in the motion to convene Executive Session were heard, discussed, or considered by the Board during the Executive Session. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix being out of the room.

(NOTE: Later in the meeting, Supervisor Dix certified his participation in Executive Session. See Clerk's Summary Item CL#86.)

69. **AUTHORIZATION FOR SETTLEMENT OF FRIENDSWOOD DEVELOPMENT COMPANY VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, AT LAW NUMBER 128910** (Tape 9)

Supervisor Frey moved that the Board authorize the settlement of *Friendswood Development Company versus Board of Supervisors of Fairfax County, Virginia*, At Law Number 128910, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Dix being out of the room.

70. **AUTHORIZATION TO AGREE TO ALLOW THE CAUSES OF ACTION OF THE PARTIES IN FAIRFAX ASSOCIATES VERSUS BOARD OF SUPERVISORS ET AL., AT LAW NUMBER 128697** (Tape 9)

Supervisor Frey moved that the Board authorize the County Attorney to agree to allow the causes of action of the parties in *Fairfax Associates versus Board of Supervisors, et al.*, At Law Number 128697, to be nonsuited without prejudice upon the terms and conditions outlined in Executive Session. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Dix being out of the room.

71. **ADMIN 18 - ADVERTISEMENT OF A PUBLIC HEARING ON PROPOSED AMENDMENTS THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67.1 (SANITARY SEWERS AND SEWAGE DISPOSAL) TO REVISE THE SEWER SERVICE CHARGES AND THE AVAILABILITY FEES** (Tape 9)

- (A) (NOTE: Earlier in the meeting, action on Administrative Item 18 was deferred. See Clerk's Summary Item CL#15.)

Supervisor Connolly moved that the Board authorize the advertisement of a public hearing to be held before the Board on **April 8, 1996 at 4:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 67.1 (Sanitary Sewers and Sewage Disposal) regarding:

- Sewer Service Charges; and
- Availability Fees,

as outlined in Attachment I of the Memorandum to the Board dated March 18, 1996. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Dix being out of the room.

AM:am

72. **3:30 PM - PH ON REZONING APPLICATION RZ 95-P-029 (EDGEMOORE HOMES, L.L.C.) (PROVIDENCE DISTRICT)** (Tape 10)

- (O) Mr. Michael S. Horwatt reaffirmed the validity of the affidavit for the record.

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

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

- In excess of \$200 from Mr. Michael S. Horwatt.

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

Supervisor Connolly moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 95-P-029 be amended from the R-2 District to the PDH-4 District subject to the revised proffers dated February 8, 1996; the Planning

Commission having previously approved Final Development Plan Application FDP 95-P-029 on February 7, 1996. This motion was seconded by Supervisor Kauffman and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix being out of the room.

73. **3:30 P.M. - PH ON REZONING APPLICATION RZ 95-B-027 (JAGDISH AND SHOBHA BERRY) (BRADDOCK DISTRICT)** (Tape 10)

- (O) Mr. Robert A. Lawrence reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Bulova moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 95-B-027 be amended from the R-1 District to the R-2 District subject to the revised proffers dated February 15, 1996. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix being out of the room.

74. **3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 115 (LOCAL AGRICULTURAL AND FORESTAL DISTRICT) APPENDIX F-19 (JOHN T. KINCHELOE) (SPRINGFIELD DISTRICT)** (Tape 10)

- (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 March 1 and March 8, 1996.

Following the public hearing, Supervisor McConnell moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115 (Local Agricultural and Forestal Districts), Appendix F-19, to establish the Kincheloe Local Agricultural and Forestal District subject to the revised Ordinance provisions in Appendix One of the staff report. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix being out of the room.

75. **3:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 88-S-013 (STAR ENTERPRISE) (SULLY DISTRICT)** (Tape 10)

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

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

Chairman Hanley disclosed the following:

- Mr. James W. Dyke, Jr. served on the Hanley for Chairman Finance Committee.

Supervisor Connolly disclosed the following:

- Mr. James W. Dyke, Jr. served on the Connolly for Supervisor Finance Committee.

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

Supervisor Frey moved approval of Special Exception Amendment Application SEA 88-S-013 subject to the development conditions dated February 28, 1996. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Dix and Supervisor McConnell being out of the room.

Supervisor Frey moved that the Board approve a reaffirmation of the modification of the transitional screening requirement along the eastern property boundary to that shown on the Special Exception Plat and the reaffirmation of the waiver of a barrier requirement along the eastern property boundary. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Dix and Supervisor McConnell being out of the room.

76. **3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5A, TO EXPAND THE MCLEAN RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) (DRANESVILLE DISTRICT)** (Tape 10)
- (O) A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing has been duly advertised in that Newspaper in the issues of March 1 and March 8, 1996.

Following the public hearing, which included testimony by five speakers, Supervisor Mendelsohn moved:

- Adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A, Residential Permit Parking District (RPPD), Appendix G, to expand the McLean RPPD, District 21, by including in the existing District the following streets:
 - Rupert Street (Route 2043) from Tyndale Street (Route 3439) to the end; and
 - Girard Street (Route 3486) from Margie Drive (Route 3272) to Rupert Street (Route 2043), and Ridgedale Court (Route 5979) from Westmoreland Street (Route 693) to the end.
- Deferral of implementation of this District until decisions are made regarding the Fiscal Year (FY) 1997 Budget.

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

77. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-M-060 (AMERICAN PCS, LIMITED PARTNERSHIP) (MASON DISTRICT)** (Tape 10)

Supervisor Gross moved to defer the public hearing on Special Exception Application SE 95-M-060, until **April 29, 1996 at 4:00 p.m.** This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Dix and Supervisor McConnell being out of the room.

ADDITIONAL ACTION FROM EXECUTIVE SESSION

78. **AMENDMENT TO PROCEDURAL MEMORANDUM NUMBER 149 "REGULATIONS FOR PUBLIC USE OF FACILITIES AND GROUNDS AT THE FAIRFAX COUNTY GOVERNMENT CENTER"** (Tape 10)

Supervisor Hyland moved that the Board authorize the County Executive to amend Procedural Memorandum Number 149, entitled "Regulations for Public Use of Facilities and Grounds at the Fairfax County Government Center," to allow reservations of the grounds of the Government Center commencing at 6:30 a.m. on weekends and County holidays so long as no sound amplification equipment is utilized for any such use of the grounds. This amendment of the procedures is not intended to affect the use of any buildings at the Government Center. It will only apply to the exterior grounds. This motion was seconded by Supervisor Kauffman and carried by a vote of nine, Supervisor Dix being out of the room.

79. **4:00 P.M. - PH ON REZONING APPLICATION RZ 95-P-055 (BOARD OF SUPERVISORS' OWN MOTION) (PROVIDENCE DISTRICT)** (Tape 10)

- (O) Mr. John C. McGranahan reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Connolly moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 95-P-055 be amended from the R-3 and Highway Corridor District to the C-8 and Highway Corridor Districts; and
- Waiver of the minimum lot area and lot width in accordance with Section 9-610 of the Zoning Ordinance.

This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix being out of the room.

80. **4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (CENTRAL ABSENTEE VOTER ELECTION DISTRICT) REGARDING ELECTION PRECINCTS AND ESTABLISHING ABSENTEE VOTING SATELLITES (COUNTYWIDE)** (Tape 10)

- (O) A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing has been duly advertised in that Newspaper in the issues of March 8 and March 15, 1996.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 7 (Central Absentee Voter Election District) regarding:

- Creation of three new precincts to accommodate voters in the Braddock, Hunter Mill, and Providence Districts;
- Relocation of three existing polling places in the Braddock and Springfield Districts;
- Realignment of two precinct boundaries to conform to legislative

lines in Sully District;

- Adjustment of two precinct boundaries to distribute voters more equitably in Sully District; and
- Establishment of eight absentee voting satellites.

This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix being out of the room.

81. **ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE) SECTION 4-6-2, TO RAISE THE TAXABLE MONTHLY BILL CEILING ON NON-RESIDENTIAL UTILITY TAXES** (Tape 10)

- (A) (NOTE: Earlier in the meeting, action on Administrative Item 10 was deferred. See Clerk's Summary Item CL#15.)

Following discussion, with input by Edward L. Long, Director, Office of Management and Budget (OMB), Supervisor Bulova moved that the Board authorize the advertisement of a public hearing to be held before the Board on **April 8, 1996, at 4:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Section 4-6-2, to raise the taxable monthly bill ceiling on non-residential utility taxes for gas and electricity at a ceiling of \$20,000. This motion was seconded by Supervisor Frey and **CARRIED** by a recorded vote of seven, Supervisor McConnell and Supervisor Mendelsohn voting "NAY," Supervisor Dix being out of the room.

(NOTE: Later in the meeting, Supervisor Dix asked to be recorded as voting "NAY" on this item. See Clerk's Summary Item CL#87.)

ADDITIONAL BOARD MATTERS

82. **APPOINTMENT TO THE A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE** (Tape 10)

(APPT)

Supervisor McConnell moved the appointment of Mr. Theodore S. Picard as the Springfield District Representative to the A. Heath Onthank Memorial Award Selection Committee. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Dix being out of the room.

83. **RECOGNITION OF THE ROBINSON SECONDARY SCHOOL GIRLS BASKETBALL TEAM FOR WINNING THE STATE CHAMPIONSHIP** (Tape 10)

Supervisor Bulova moved that the Board direct staff to invite the Robinson Secondary School Girls Basketball Team and Coach to appear before the Board to be recognized for winning the State Championship. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Dix being out of the room.

84. **BLUE PLAINS WASTE TREATMENT PLANT** (Tape 10)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board approve the signing of a letter outlining the Board's position, in conjunction with the region, on the Blue Plains Waste Treatment Plant. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Dix being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

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

At 5:00 p.m., the Board recessed for dinner, and at 7:00 p.m., reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Hyland, and with Chairman Hanley presiding.

86. **REQUEST TO RECORD VOTE** (Tape 11)

(NOTE: Earlier in the meeting, action was taken on the Certification by Board Members Regarding Items Discussed in Executive Session. See Clerk's Summary Item CL# 68.)

Upon his return to the Board Auditorium, Supervisor Dix asked unanimous consent to be recorded as voting "AYE" on the Board's earlier motion certifying that, to the best of its 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. Without objection, it was so ordered.

87. **REQUEST TO RECORD VOTE** (Tape 11)

(NOTE: Earlier in the meeting, action was taken on Administrative Item 10. See Clerk's Summary Item CL#81.)

Supervisor Dix asked unanimous consent to be recorded as voting "NAY" on Administrative Item 10 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance) Section 4-6-2, to Raise the Taxable Monthly Bill Ceiling on Non-residential Utility Taxes. Without objection, it was so ordered.

88. **7:00 P.M. - PH ON POSSIBLE SITES FOR A MAJOR LEAGUE BASEBALL PARK** (Tapes 11-14)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing has been duly advertised in that Newspaper in the issues of March 1 and March 8, 1996.

Following the public hearing, which included testimony by 65 speakers, Supervisor Frey moved that the Board direct staff to:

- Begin work immediately on preparing the Engineering Proving Ground (EPG) application to be submitted to the Stadium Authority for consideration as a site for a Major League Baseball Park;
- Defer decision on the Dulles Corner site until April 8, 1996; and
- Eliminate the Tysons Corner site from any further consideration.

This motion was seconded by Supervisor Mendelsohn.

Following discussion, Chairman Hanley relinquished the Chair to Acting-Supervisor Bulova and asked unanimous consent that the Board direct staff to provide a succinct summary for the Dulles Corner site with the comparison for different levels of density and transit rail plans. Without objection, it was so ordered.

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

Acting-Chairman Bulova returned the gavel to Chairman Hanley.

89. **BOARD ADJOURNMENT** (Tape 14)

At 10:55 p.m., the Board adjourned.