



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS

OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

This does not represent an official transcript of the Board Meeting, and is subject to minor change.

MONDAY

Board Package

JANUARY 22, 1990

2-90

CM:cm

The meeting was called to order at 10:15 a.m. with all members being present, and with Chairman Moore presiding.

Others present were J. Hamilton Lambert, County Executive; David T. Stitt, County Attorney; Theodore Austell, III, Executive Assistant to the County Executive; William Howland, Assistant to the County Executive; Viki L. Lester, Deputy Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

2. CERTIFICATE OF RECOGNITION OF MS. DORIS M. TAPP,
COUNTY ATTORNEY'S OFFICE (Tape 1)

Supervisor Davis moved approval of the Certificate of Recognition, presented to Ms. Doris M. Tapp, County Attorney's Office, for over 30 years of dedicated service to the citizens and government of Fairfax County. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Alexander being out of the room.

3. 10:00 A.M. - PRESENTATION OF THE 1988-1989
ANNUAL REPORT OF THE CITIZENS ADVISORY
COMMITTEE FOR SOLID WASTE DISPOSAL
MATTERS (Tapes 1-2)

(BACs)

(APPT)

Paul S. Hughes, Chairman, Citizens Advisory Committee (CAC) for Solid Waste Disposal Matters, introduced to Board Members those Committee Members present in the Board Room.

Following the presentation of the 1988-1989 Annual Report by Mr. Hughes, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and moved that the Board:

- Direct staff to develop:

- * A comprehensive County-wide "waste audit";
 - * A proposal to study the feasibility of multimaterial curbside collection;
 - * An action plan that would encourage the use of biodegradable and recyclable plastics in both the private and public sectors;
 - * An analysis of pricing alternatives for the County-run trash pick-up program including per bag and by weight pricing;
 - * A set of measures that can be taken to encourage regional recycling cooperation;
 - * An aggressive program to increase the amount of recycled material purchased and used by the County;
 - * A list of steps the Board can take to encourage and enable the schools to become active partners in the County's commitment to recycling;
- Adopt the Statement of Policy distributed to Board members;
 - Create a Public-Private Recycling Council to consist of two ****Board Members,**** representatives from both the EDA and the Chamber of Commerce as well as nine representatives of the business community to be appointed by individual Board members; (**Note: Later in the discussion, the two Board Member positions were deleted.)
 - Request the CAC to review the County's hazardous waste disposal programs and return to the Board with their comments and conclusions; and
 - Request the County Executive to consider recommendations for TIP fee increases to provide additional staff for recycling.

Supervisor Moore further commended the outstanding performance of the Staff and the CAC, in particular, its Chairman, Mr. Hughes, for the comprehensive and well thought out report.

This motion was seconded by Supervisor Hyland for purposes of discussion.

Following discussion, Supervisor Hyland asked that the motion be amended to reaffirm the County's previously adopted goal of meeting a recycling target of 25 percent by 1992, and this was accepted

Supervisor Hyland distributed to Board Members copies of his Board Matters for presentation later in the meeting. He called to the Board's attention Item Four entitled "Establishing a Board of Supervisors Subcommittee on the Environment." He asked that the motion be amended to include that the Board consider establishing the "Environmental Subcommittee," as outlined in the document he distributed, and this was accepted.

Following discussion, Supervisor Moore amended her motion to delete the two Board Member positions in Bullet Three concerning the composition of the Public-Private Recycling Council, and this was accepted as follows:

- Create a Public-Private Recycling Council to consist of representatives from both the EDA and the Fairfax County Chamber of Commerce as well as nine representatives of the business community to be appointed by individual Board members.

Following further discussion, with input from John diZerega, Director, Department of Public Works, and Mr. Hughes, Supervisor Hanley asked unanimous consent that the Board direct the County Attorney to research whether the County has the authority to require grocery stores to use only paper bags. Without objection, it was so ordered.

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

Following discussion, with input from Mr. diZerega, Supervisor Hyland asked unanimous consent that the Board direct staff to review and report to the Board on what is necessary, staff and programs, for the County to accomplish its 25 percent recycling goal set for 1992. Without objection, it was so ordered.

Following further discussion, Supervisor Pennino moved that the Board authorize the Chairman to prepare letters to Giant and Safeway and various other large chain stores asking them to consider returning to paper bags for bagging groceries instead of the continued use of nonbiodegradable material. The motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Alexander being out of the room.

Staff was directed to draft a letter to this effect.

4. 10:15 A.M. - REPORT ON GENERAL ASSEMBLY ACTIVITIES
(TAPE 2)

Supervisor Hanley, Chairman, Board's Legislative Subcommittee, briefly outlined the package distributed to Board Members.

Supervisor Hanley highlighted the changes to the Package made by the Legislative Subcommittee earlier in the day:

- Opposition to the delay of the allocation of the recordation tax;
- Opposition to the removal of the awarding of legal fees in harassment suits;
- Support for possible additional revenue for local libraries; and
- Support for the pledge bonds issues and the Senate Bill (Item 5) to oppose the delay of the recordation tax;
- Opposition to Senate Bill SB#170;
- Support for the City Council of Falls Church's position for the pedestrian bridge over Route Seven; and
- Endorse legislation in the Virginia General Assembly that will mandate that all telephone subscribers be provided with an option to block caller ID.

Supervisor Hanley moved that the Board adopt the package, with the above-stated changes, as recommended by the Legislative Subcommittee. This motion was seconded by Supervisor Pennino.

J. Hamilton Lambert, County Executive, briefed the Board on three proposed bills that may have an adverse impact on Fairfax County's power to plan and zone land:

- The first bill proposes to provide a standard for the vesting of land-use rights, i.e., any time a proffer has been accepted by the governing body, the proffer will act as a triggering mechanism so from the date the Board accepts the proffer the land would remain zoned in that category until a rezoning is requested or until the Board upzones the property;

- The second bill proposes to provide that all properties which have been proffered shall have vested land use rights; and
- The third bill proposes legislation to restore "the development rights existing in the Route 28 district as they were when the district was initially formed by the governments and the property owners."

The question was called on the motion which carried by a vote of seven, Supervisor Alexander and Supervisor Davis being out of the room.

(NOTE: Later in the meeting, additional actions were taken on the Report on General Assembly Activities. See Clerk's Summary Item CL#8.)

5. 10:30 A.M. - APPOINTMENTS TO CITIZEN BOARDS,
AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS
(TAPES 2-3)

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

Supervisor Hyland moved the reappointment of Mr. Philip Rosenthal as the Mount Vernon District Representative.

Supervisor Pennino moved the reappointment of Mr. Ethan Hurd as the Centreville District Representative.

Supervisor McConnell moved the reappointment of Mr. Dallas Amend as the Springfield District Representative.

Supervisor Hanley moved the reappointment of Mr. Tom O'Connor as the Providence District Representative.

Supervisor Davis moved the reappointment of Mr. Norman Miller as the Mason District Representative.

Supervisor Bulova moved the reappointment of Ms. Marcia Hendricks-Blair as the Annandale District Representative.

Chairman Moore moved the reappointment of Ms. Til Bennie as the At-Large Representative.

These motions were accepted and carried by unanimous vote.

(NOTE: The appointments of the Lee and Dranesville District Representatives were deferred.)

ADVISORY SOCIAL SERVICES BOARD

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

AGRICULTURAL AND FORESTAL DISTRICTS ADVISORY COMMITTEE

[NOTE: The appointment of the At-Large (Farmer) Representative to the Agricultural and Forestal Districts Advisory Committee was deferred.]

Supervisor Hanley suggested that the position of At-Large (Farmer) Representative to the Agricultural and Forestal Districts Advisory Committee be advertised on cable television.

ARCHITECTURAL REVIEW BOARD

Following discussion, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to determine the residency requirements for the Architectural Review Board. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

Supervisor McConnell moved the reappointment of Mr. Mark R. Lewis as the At-Large (Landscape) Representative. This motion was seconded by Supervisor Davis and carried by a vote of seven, Supervisor Richards abstaining and Chairman Moore voting "NAY."

(NOTE: The Ex-Officio position remains vacant.)

ATHLETIC COUNCIL

Supervisor Hanley moved the reappointment of Mr. Kevin McEvoy as the Providence District Alternate Representative.

Chairman Moore moved the reappointment of Mr. Timothy P. Hamer as the At-Large Representative.

These motions were accepted and carried by unanimous vote.

(NOTE: The News Media Reporter position remains vacant.)

BOARD OF BUILDING CODE APPEALS - HOUSING HYGIENE DIVISION

Supervisor Alexander moved the reappointment of Mr. Thomas McCann as the At-Large Representative.

Supervisor Hanley moved the reappointment of Ms. Zelma Thornton as the At-Large Representative.

These motions were accepted and carried by unanimous vote.

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

[NOTE: The appointment of the At-Large (Citizen/Alternate) Representative remains vacant.]

BOARD OF BUILDING CODE APPEALS - TECHNICAL DIVISION

Supervisor Hanley moved the reappointment of Mr. Marvin J. Cantor as the At-Large (Licensed Architect) Representative.

Chairman Moore moved the reappointment of Mr. Thomas G. Dodd as the At-Large (Superintendent Structural Building) Representative.

Supervisor Alexander moved the reappointment of Mr. John B. Kelso as the At-Large Representative.

Chairman Moore moved the reappointment of Mr. Whitney L. Wagner as the At-Large (Licensed Architect) Representative.

These motions were accepted and carried by unanimous vote.

[NOTE: The appointments of the At-Large (Citizen/Alternate) and (Builder Alternate) Representatives remain vacant.]

Supervisor Pennino asked unanimous consent that the Board direct staff to review the issue of whether an individual could serve on the Board of Building Code Appeals (Technical Division) and still submit bids on County projects. Without objection, it was so ordered.

BOARD OF EQUALIZATION

Supervisor Pennino moved the appointment of Mr. Tom Hartnett as the At-Large (Appraiser/Assessor) Representative.

This motion was accepted and carried by unanimous vote.

Following discussion, Supervisor Hanley moved that the Board reconsider its action to appoint Mr. Tom Hartnett as the At-Large (Appraiser/Assessor) Representative and defer the remaining appointments to the Board of Equalization until January 29, 1990.

Supervisor Alexander announced that he would be absent from the January 29, 1990 Board Meeting.

Supervisor Hanley withdrew her motion.

[NOTE: The appointments of the At-Large (Attorney) and (Builder) Representatives remain vacant.]

[NOTE: The appointment of the At-Large (Appraiser) Representative was deferred.]

CIVIL SERVICE COMMISSION

Supervisor McConnell moved the appointment of Mr. Donald Smith as the At-Large Representative.

Following discussion, the appointment of the At-Large Representative was deferred until resumes could be circulated to Board Members.

Supervisor Davis moved that the appointment of the At-Large Representative be deferred until February 12, 1990. This motion was seconded by Supervisor Richards and carried by unanimous vote.

COMMISSION FOR DISABLED PERSONS

(NOTE: The appointment of the Springfield District Representative was deferred.)

COMMUNITY ACTION ADVISORY BOARD

Supervisor Pennino moved the reappointment of Ms. Linda Singer as the Centreville District Representative.

The motion was accepted and carried by unanimous vote.

(NOTE: The appointments of the Annandale and Mason District Representatives were deferred.)

COUNTYWIDE TRAILS COMMITTEE

Supervisor Davis moved the reappointment of Ms. Lorraine Foulds as the Mason District Representative.

The motion was accepted and carried by unanimous vote.

Supervisor Hyland asked unanimous consent that the Board direct staff to review the record regarding the Mount Vernon District Representative to determine the correct term for Mr. Gus Brown and update the record accordingly. Without objection, it was so ordered.

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

ENGINEERS AND SURVEYORS INSTITUTE OVERSIGHT COMMITTEE

CONFIRMATIONS:

Supervisor Pennino moved that the Board confirm the following appointments to the Engineers and Surveyors Institute Oversight Committee:

- Mr. Carl Seal as the National Association of Industrial and Office Parks (NAIOP) Alternate Representative;
- Mr. Chip Paciulli as the Northern Virginia Building Industry Association (NVBIA) Alternate Representative; and

- Mr. Edward Jankiewicz as the Department of Environmental Management (DEM) Alternate Representative.

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

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

Supervisor McConnell moved the appointment of Mr. Eric Ulsh as the Springfield District Representative. The motion was accepted and carried by unanimous vote.

FAIRFAX COUNTY AIRPORTS ADVISORY COMMITTEE

[NOTE: The appointment of the Dranesville District (Business District) Representative was deferred.]

Supervisor Pennino moved the reappointment of Mr. Thomas R. Skirbunt as the Centreville District Representative.

Supervisor McConnell moved the reappointment of Mr. Larry Palmer as the Springfield District Representative.

These motions were accepted and carried by unanimous vote.

GEOTECHNICAL REVIEW BOARD

CONFIRMATIONS:

Supervisor Hanley moved that the Board confirm the following appointments to the Geotechnical Review Board:

- Mr. Daniel S. Rom, P. E., as the Washington Area Council of Engineering Laboratories, Inc. (Principal) Representative;
- Mr. Raymond R. Fox, P. E., as the American Society of Civil Engineers (Principal) Representative;
- Mr. Edward DeSantis, P.E., as the Washington Area Council of Engineering Laboratories (Principal) Representative;
- Mr. James W. Eckert, P.E., as the Virginia Society of Professional Engineers and Washington Area Council of Engineering Laboratories, Inc. (Alternate) Representative;

- Mr. Marvin D. Oosterbaan, P.E., as the Consulting Engineers Council of Metropolitan Washington (Alternate) Representative; and
- Mr. Emad E. Saadeh, P.E., as the Virginia Society of Professional Engineers (Alternate) Representative.

This motion was seconded by Supervisor Pennino and carried by a vote unanimous vote.

GROUP RESIDENTIAL FACILITIES COMMISSION

(NOTE: The appointment of the Providence District Representative was deferred.)

HISTORY COMMISSION

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

JUVENILE COURT CITIZEN ADVISORY COUNCIL

Supervisor Alexander moved the reappointment of Ms. Helen Hester as the Lee District Representative.

Supervisor Davis moved the reappointment of Ms. Phyllis Ann Carson as the Mason District Representative.

Supervisor Bulova moved the reappointment of Mr. Roy Warner as the Annandale District Representative.

Supervisor McConnell moved the reappointment of Ms. Judith A. Isom as the Springfield District Representative.

Supervisor Hanley moved the reappointment of Mr. Craig A. Sharon as the Providence District Representative.

These motions were accepted and carried by unanimous vote.

(NOTE: The appointment of the Dranesville District Representative was deferred.)

POLICEMAN'S PENSION AND RETIREMENT BOARD

Supervisor Hyland moved the reappointment of Mr. Forrest E. Williams as the At-Large Representative. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

PROJECT SELECTION COMMITTEE

[NOTE: The appointments of the Annandale District (Zion Drive Community) and Dranesville District Representatives were deferred.]

TENANT LANDLORD COMMISSION

Supervisor Davis moved the reappointment of Mr. John Hartigan as the At-Large Representative.

Supervisor Hyland moved the reappointment of Mr. William H. Castro as the At-Large Representative.

Supervisor Davis moved the reappointment of Mr. Steven R. DeLonga as the At-Large Representative.

Supervisor Davis moved the reappointment of Mr. A. Strode Brent, Jr. as the At-Large Representative.

Supervisor Alexander moved the reappointment of Mr. Perry D. Robinson as the At-Large Representative.

These motions were accepted and carried by unanimous vote.

TRANSPORTATION ADVISORY COMMISSION

(NOTE: The appointments of the At-Large and Springfield District Representatives were deferred.)

TREE COMMISSIONCONFIRMATION:

Supervisor Pennino moved that the Board confirm the following appointment to the Tree Commission:

- Ms. Cindy M. Zimar, as the Virginia Department of Forestry Representative.

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

AD-HOCSCITIZENS BUDGET OVERVIEW COMMITTEE

Chairman Moore moved the appointment of Mr. Thomas Stanners as the At-Large Representative.

Supervisor Pennino moved the appointment of Mr. Charles Pflugrath as the Centreville District Representative.

Supervisor Bulova moved the appointment of Mr. Richard Yessian as the Annandale District Representative.

Supervisor Hyland moved the appointment of Mr. Woody Ginsburg as the Mount Vernon District Representative.

Supervisor Hanley moved the appointment of Mr. Henry Wulf as the Providence District Representative.

(NOTE: The appointments of the Dranesville, Lee, Mason, and Springfield District Representatives to the Citizens Budget Overview Committee were deferred.)

These motions were accepted and carried by unanimous vote.

CITIZENS COMMITTEE ON SOLID WASTE AND DISPOSAL MATTERS

[NOTE: The appointment of the At-Large (Alternate) Representative remains vacant.]

CONFIRMATIONS

Supervisor Pennino moved that the Board confirm the following appointments to the Citizens Committee on Solid Waste and Disposal Matters:

- Mr. Nicholas Greksouk, to replace Ms. Nancy Cranmer as the Fairfax County Chamber of Commerce (Principal) Representative;
- Mr. John G. Colby, to replace Mr. Nicholas Greksouk as the Fairfax County Chamber of Commerce (Alternate) Representative; and
- Ms. Joan Gottlieb, to replace Ms. Kristen Wolfe as the Sierra Club Representative.

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

FAIRFAX COUNTY PUBLIC SAFETY FACILITY ADVISORY COMMITTEE (PSAC)

[NOTE: The appointment of the Providence District (Greenbriar Community) Representative was deferred.]

VLL:VLL

BOARD MATTERS6. POLICY FOR USE OF FUNDS RESULTING FROM
REAUTHORIZATION OF THE SURFACE
TRANSPORTATION ACT (TAPE 4)

For informational purposes, Chairman Moore stated that last week she had distributed to Board Members a copy of a letter that she had forwarded to Ray D. Pethtel, Commissioner, Virginia Department of Transportation (VDOT), requesting that a meeting be scheduled with the Board of Supervisors to discuss VDOT's policy for the use of federal funds that may come from a reauthorization of the Surface Transportation Act. She stated that there is a question of whether the emphasis should be placed on congestion in urban areas or whether the emphasis should be placed on connecting major cities which has always been the policy with the interstate system.

Chairman Moore stated that after a response is received from Mr. Pethtel, staff would be scheduling the meeting as expeditiously as possible.

7. FAIRFAX CABLE ACCESS CORPORATION COMMENDED
(TAPE 4)

Chairman Moore stated that Fairfax Cable Access Corporation is the independent non-profit corporation designated in 1981 by the Fairfax County Board of Supervisors to represent public access television interests in the County. She stated that over the past six years, Channel 10 has been providing the type of community service that the Board envisioned when the corporation was included in the cable contract.

Chairman Moore commended the outstanding contributions of the corporation, particularly its production of the "See Me, Hear Me, Find Me," video tape program being provided to schools to assist the community with problems faced by children on approaches being used by undesirable individuals.

8. ADDITIONAL DISCUSSION REGARDING REPORT ON
GENERAL ASSEMBLY ACTIVITIES (TAPE 4)

(NOTE: Earlier in the meeting, various actions were taken on the Report on General Assembly Activities. See Clerk's Summary Item CL#4.)

Chairman Moore referred to the Board's earlier discussion on the Report on General Assembly Activities.

Following discussion, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and moved that the Board:

- Direct staff to prepare an oral presentation to be made to small groups of the Northern Virginia Delegation Representatives to argue Fairfax County's position regarding its action on the Commercial and Industrial Zoning categories in a concise, organized, and technical fashion;
- Authorize Chairman Moore and staff to schedule a meeting as expeditiously as possible between the Northern Virginia Delegation Representatives and the total Board to discuss Fairfax County's position and the significance of the actions being proposed; and
- Direct staff to distribute a letter to all community organizations in Fairfax County informing the community of the significance of the actions that are being proposed.

This motion was seconded by Supervisor Bulova.

Following further discussion, Supervisor Davis moved a substitute motion that the Board refer this issue to the Board's Legislative Subcommittee for review and discussion at its meeting scheduled for Friday, January 26, 1990. This motion was seconded by Supervisor Alexander.

Following additional discussion, Supervisor Moore amended her motion that the Board defer action on this issue until after the Board's afternoon recess, and this was accepted.

Supervisor Davis tabled his substitute motion until following the Board's afternoon recess.

The question was called on the motion, as amended, to defer action on the issue until later in the day which carried by a vote of seven, Supervisor Hanley and Supervisor McConnell being out of the room.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

(NOTE: There was no further discussion on this issue later in the meeting.)

9. ABSENCE OF SUPERVISOR ELAINE MCCONNELL,
SPRINGFIELD DISTRICT (TAPE 4)

For informational purposes, Supervisor Davis announced that Supervisor McConnell had to leave the Board Room for a few hours to be with her husband at the hospital. He stated that she would present her Board Matters upon her return later in the afternoon.

10. ELIMINATION OF SMALL TAX BILLS (TAPES 4-5)

Supervisor Hyland called to the Board's attention the fact that in tax year 1988, according to staff, there were 20,389 personal property bills of less than \$5.00 amounting to a total value of \$69,912. The cost for postage on these bills amounted to \$23,821.19 and, with an increase in postage, costs for small bills in 1990 are projected to reach approximately \$26,000.

Supervisor Hyland stated that of these small bills, 15.8 percent (3,222) remain unpaid at a cost of \$7,921 and rebilling these accounts and any additional attempts at collection increase the cost to the County. He referred to the Board Package dated March 9, 1987 when the elimination of small tax bills was proposed. He stated that the County Attorney has concluded that, under Virginia Code Sections 58.1-3912, -3921, and -3924, localities at their discretion may eliminate bills for annual tax levies of less than \$5.00 (which also includes less than \$2.50 per installment for real estate which is billed semi-annually). In addition, the County Attorney further opined that these tax amounts should be written off as soon as the tax levy is imposed to avoid potential tax liens and other problems, and that the Board of Supervisors be requested annually to approve these write-offs.

Supervisor Hyland stated that removing these minor bills would save costs on other bills by allowing staff to process bills as close to the due date as possible. While no staff cuts are envisioned, eliminating small bills would also cut down on the amount of overtime the Office of Finance now requires. The staff time spent could be used in other new or continuing operations.

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

- Reevaluate the issue of whether Fairfax County should continue to bill individuals for real estate and personal property bills less than \$5.00, i.e., whether the present cost (postage and staff time) of collecting those bills ends in a negative or a positive cost to Fairfax County; and
- Report to the Board with its findings and recommendations.

Supervisor Pennino stated, for the record, that she did not support this issue in 1987 nor would she support any future proposals to eliminate an individual's obligation to pay funds which are owed to the government.

Without objection, it was so ordered.

11. EXPANSION OF THE MOUNT AIR HISTORICAL DISTRICT
(TAPE 5)

Supervisor Hyland called to the Board's attention the fact that Mount Air is a designated historical area located along Fort Belvoir, Backlick, and Telegraph Roads in the Newington section of Lorton. The Mount Air Estate dates back to at least 1806 and the foundation of the original home may be from an earlier house built prior to 1760. He stated that in order to protect this historical area, the property should be encircled to provide needed controls later.

Supervisor Hyland stated that the present historical district was adopted in 1984 to ensure that the land, then being sold (which has subsequently been developed into townhouses) would come under the administration of the Architectural Review Board (ARB). Currently, there is considerable development pressure in the Fort Belvoir area along Accotink, Telegraph, and Backlick Roads. If the historical district is enlarged, it will then abut the Fort Belvoir territory and protect it from development which would otherwise result in density and site planning incompatible with existing Mount Air boundaries.

Supervisor Hyland stated that Mount Air residents have requested that another review be conducted at the historical district boundaries. The Office of Comprehensive Planning Heritage Resources Branch's opinion, as well as ARB, are in accord with that request.

Accordingly, Supervisor Hyland moved that the Board direct staff to review the possibility of enlarging the historic district of Mount Air and to coordinate the necessary activities with the ARB and the History Commission. This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor McConnell, and Chairman Moore being out of the room.

12. REQUEST EXPEDITIOUS TREE ORDINANCE BRIEFING
(TAPE 5)

Supervisor Hyland stated that the Fairfax County Tree Commission and staff have been working on the draft tree replacement ordinance for more than 10 months. He said that the draft should have been presented to the Board sometime in the fall of 1989. In addition, he stated that on September 18, 1989 Irving Birmingham, Director, Department of Environmental Management (DEM), stated that the draft language was undergoing legal review, however, it is his understanding that this legal review is still going on. In addition, he pointed out that presently, January 1990, it has been called to his attention by the Mount Vernon District Representative on the Tree Commission that the draft will not be ready for presentation to the Board until sometime in the spring of 1990. He added that it could be July 1990 before an ordinance becomes effective.

Supervisor Hyland stated that urban and community trees deserve more attention than currently being given and the longer the Board waits for

this ordinance the more trees that will be lost. Accordingly, he moved that the Board direct staff to present the tree ordinance recommendations to the Board for a briefing no later than February 12, 1990 and for public hearings sometime in early March 1990. This motion was seconded by Supervisor Bulova and carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor McConnell, and Chairman Moore being out of the room.

13. DISTRICT OF COLUMBIA POLLUTION CONTROL FACILITY
(TAPE 5)

Supervisor Hyland pointed out that the District of Columbia's Correctional Facility located in Lorton, Virginia has obtained the State Water Control permit to expand its sewer capacity. He said that the present facility has been woefully inadequate for many years and has been cited many times for capacity violations. He added that the District has not been able to correct its problems. Supervisor Hyland said that rather than wait even longer for D.C. to build the facility which must meet all new Chesapeake Bay standards, he suggested that the Board invite D.C. to participate in Fairfax County's Lower Potomac Pollution Control facility.

Supervisor Hyland said that he has been very concerned with D.C.'s present sewer plant for a long time and he has not seen any improvements forthcoming. He added that on June 19, 1989, he presented testimony before the State Water Control Board that this facility should not be allowed to expand unless, at a minimum, D.C. demonstrates it can maintain and operate its present facility in an acceptable manner and he pointed out that it continues to fail.

Supervisor Hyland moved that the Board direct staff to:

- Explore the impacts this request might have on Fairfax County; and
- If found beneficial to the County, then proceed to engage in discussions and negotiations with a view towards meeting the District's sewage treatment requirements at D.C.'s Correctional Facility located in Lorton, Virginia by hooking into the County's Lower Potomac Pollution Control facility.

This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor McConnell, and Chairman Moore being out of the room.

14. THIRD ANNUAL TOWN MEETING SCHEDULED FOR
MOUNT VERNON DISTRICT (TAPE 5)

Supervisor Hyland announced that the Third Annual Town Meeting for Mount Vernon District has been scheduled for Saturday, January 27, 1990 from 9:00 a.m. until 1:00 p.m. at the Islamic Saudi Academy (formerly Walt Whitman Intermediate School) located at 8333 Richmond Highway. He urged all interested individuals to attend.

15. SUPERVISOR GERRY HYLAND'S "BOOM BOOM"
STRAWBERRY WINE (TAPE 5)

Supervisor Hyland remarked that an individual, after reading a newspaper article concerning Supervisor Hyland's "explosive" gifts, had returned his Christmas gift with the top taped with electrical tape.

Following comments by individual Board Members, Supervisor Hyland renamed his Christmas gift "Boom Boom" strawberry wine for those individuals who like to have a "blast" but do not "wine" about it.

16. RELOCATION OF RESTRICTIVE PARKING SIGNS ON
DANA AVENUE (TAPE 5)

Supervisor Alexander referred to the Board of Supervisors' meeting held on November 20, 1989, whereby action was taken to approve the installation of signs on Dana Avenue in Springfield to prohibit parking on the west side of this street from Monticello Boulevard to Dormont Street, between the hours of 8:00 a.m. until 10:00 a.m., Monday through Friday (excluding holidays). Prior to the installation of these signs a survey of the residents was conducted and, based on the results of this survey, he moved that the Board direct staff to:

- Change the location of these signs from the west side of Dana Avenue TO the east side; and
- Extend the installation of these signs from Monticello Boulevard to the approximate southernmost property line of 6303 Dana Avenue.

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

Supervisor Alexander stated that the issue of commuter parking in residential neighborhoods is a difficult problem to solve given the limited availability of parking in the more densely developed areas of the County. He emphasized the point that the County is working diligently to provide more park-and-ride facilities and encourages

commuters to use transit and share rides with others. Restricting parking on Dana Avenue is only a temporary effort to provide some relief from commuter parking to the residents of this street. Supervisor Alexander stated that as the plans for additional park-and-ride facilities are implemented, the County can implement more permanent solutions to protect the residential nature of this community.

17. USE OF FACSIMILE MACHINES TO TRANSMIT
ADDITIONAL ITEMS TO BOARD PACKAGE
(TAPE 5)

Supervisor Alexander asked unanimous consent that the Board direct staff to review the possibility of using Facsimile ("FAX") Machines to transmit last-minute items for inclusion in a Board Package for an upcoming meeting. He stated that staff from Mail Services is used to hand-deliver the Package on Thursday afternoons to the Supervisor Offices and, in some instances, returns on Friday with additional items to be included. He suggested that using the FAX Machines can result in a time and cost savings to the County. Without objection, it was so ordered.

18. ABSENCE OF SUPERVISOR JOSEPH ALEXANDER, LEE
DISTRICT, AT THE UPCOMING JANUARY 29, 1990
BOARD MEETING; COMMENTS GIVEN ON MEETING
WITH THE FAIRFAX COUNTY PARK AUTHORITY
AND TRANSPORTATION ADVISORY COMMISSION
AND PUBLIC HEARING SCHEDULED ON PROPOSED
AMENDMENTS TO THE CODE OF THE COUNTY OF
FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE)
BUSINESS, PROFESSIONAL AND OCCUPATIONAL
LICENSE (BPOL) ORDINANCE (TAPE 5)

Supervisor Alexander reminded Board Members and staff that he would be absent from the entire Board meeting scheduled for January 29, 1990 because of a previously scheduled business commitment. Because of his absence, he briefly commented on the following items scheduled for that day and asked that Board Members take into account his remarks:

- 8:00 a.m. - Breakfast meeting of the Board
of Supervisors and the Fairfax County Park
Authority:

Supervisor Alexander stated that staff has discussed a coordinated approach among the Park Authority, School Board, and Recreation Department with regard to scheduling the use of athletic fields. He stated that over past years, there has been a request to consolidate the Recreation Department with the Park

Authority, however, because of legislative and financial reasons, this consolidation has not been possible. He asked Chairman Moore, on his behalf at the breakfast meeting, to request that this consolidation be considered.

Chairman Moore asked staff, when preparing the Agenda for the breakfast meeting, to ensure that this item is listed.

- 5:00 P.M. - Public hearing on proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance) by enactment of Article 7.1, Sections 4-7-1(a)(2); 4-7-17; 4-7-21(2) of the Business, Professional and Occupational License Ordinance:

Supervisor Alexander asked, if there were any issues or problems regarding these amendments, that the Board defer action on the proposed amendments until his return on February 12, 1990.

19. CONCERNS REGARDING RECENT "SLOW DOWN" OF FAIRFAX CONNECTOR SYSTEM (TAPE 5)

Supervisor Alexander called to the Board's attention the fact that several weeks ago, services were "slowed down" by the drivers of the Mount Vernon/Lee District FAIRFAX CONNECTOR System because of a personnel issue regarding paychecks. He stated that Fairfax County contracts with the National Transportation Services to operate the FAIRFAX CONNECTOR, i.e., a private operator uses the County's facilities and buses as a private corporation and contracts with the drivers to operate the buses.

Supervisor Alexander stated that the County has never experienced many complaints regarding the System, however, since the contract system, his office receives numerous complaints. He asked unanimous consent that the Board direct the Office of Transportation to:

- Provide a briefing to Board Members on what has transpired to cause these complaints; and

- Following the meeting between staff and the principals of the company scheduled for sometime this week, provide a summary of the results from that meeting.

Without objection, it was so ordered.

PMH:PMH

20. VAN DONATED BY FAIRFAX COUNTY TO THE FALLS CHURCH
COMMUNITY SERVICES COUNCIL NEEDS REPAIRS (TAPE 6)

Supervisor Davis stated that a few months ago a van was donated by Fairfax County to the Falls Church Community Services Council. He added that since that time major repair has been necessary, for example, the rear brake system was replaced. He said that all previous repairs were paid for by the City of Falls Church, but last month the motor "died." Supervisor Davis pointed out that the motor is under warranty and, in light of the number of and costs of repairs, he asked unanimous consent that the Board direct staff to review the replacement of the motor and report its findings. Without objection, it was so ordered.

21. INCREASING VACANCIES IN APARTMENTS (TAPE 6)

Supervisor Davis stated that vacancy rates are up significantly in some area apartments. He asked unanimous consent that the Board direct the Tenant Landlord Commission to review this issue and report its findings.

J. Hamilton Lambert, County Executive, stated that this issue should be reviewed by the Office of Research and Statistics (ORS), the Department of Housing and Community Development, and the Tenant Landlord Commission.

Without objection, it was so ordered.

22. FIRE ALARM AT SPRINGFIELD MALL (TAPE 6)

Supervisor Bulova stated that on December 11, 1989, Supervisor McConnell called to the Board's attention the fire at Springfield Mall and the inability of shoppers to hear the muffled announcements made over the public address system. She said that a similar occurrence happened at Fair Oaks Mall a week or so later.

Supervisor Bulova said that in a December 28, 1989 memorandum to Richard A. King, Deputy Executive for Public Safety, Warren E. Isman, Chief, Fire and Rescue Department, reports that suppressing the alarm long enough for an announcement to be made regarding the emergency situation was prohibited. However, he states that "public announcements might be of benefit during reported fire emergencies ... and is successfully used throughout the world." The memorandum continues to

state that in the case of Springfield Mall, building design and code requirements preclude their use. Apparently modern high-rise buildings are required by code to be equipped with fire alarm systems with public address capabilities for use by the fire department, but mall buildings are not.

Supervisor Bulova said that to avoid a potential tragedy, steps should be initiated to make a fire alarm system with public address capabilities a requirement in shopping malls. She said that efforts should also be taken to explore how this problem can be addressed in existing malls like Fair Oaks and Springfield. Supervisor Bulova asked unanimous consent that the Board refer this issue to the Legislative Subcommittee for review. Without objection, it was so ordered.

23. WARNING TICKETS (TAPE 6)

Supervisor Bulova stated that she has had several instances in the Annandale District where residents have been issued traffic tickets when it would seem that a warning would have been more appropriate.

Supervisor Bulova said that, for example, commuters have been parking for years along a service drive next to Route 236. She said that when a tragic accident occurred a year and a half ago on the service drive, police immediately ticketed all of the parked vehicles. She added that apparently there is a law, which is not often enforced - and not known about, that states a vehicle must have both wheels off the pavement when parking on a road with no shoulder or curb and gutter.

Supervisor Bulova said that more recently, the Virginia Department of Transportation (VDOT) installed a "No U-Turn" sign on Braddock Road at Red Fox Drive. She added that people had been routinely making U-turns at this location and many did not notice the new sign the day it was installed. She said that they were ticketed for this offense, and she had heard from many of them feeling that warning tickets should have been issued instead during the first few days after the sign was erected.

Supervisor Bulova said that she has been told that the police no longer issue warning tickets, however, in these two cases, it seems that this would have been appropriate.

Supervisor Bulova asked unanimous consent that Board direct the staff to reevaluate this policy and report its findings. Without objection, it was so ordered.

24. PARKING PROBLEMS AT THE VIENNA METRO STATION
(TAPE 6)

Supervisor Pennino referred to parking problems at the Vienna Metro Station.

Supervisor Hanley stated that the police had been very lenient about issuing traffic tickets on the south side of the station. She also said that extra parking is available at the Hunter's Branch lot which allows individuals to park and ride the shuttle to the station.

Supervisor Pennino asked unanimous consent that the Board direct staff to prepare a memorandum for distribution which announces the extra parking at the Hunter's Branch lot. Without objection, it was so ordered.

25. METHOD OF OPERATION FOR BOARD OF EQUALIZATION (BOE)
(TAPE 6)

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

- Develop proper means of identification for Board of Equalization (BOE) Members to be displayed when they are visiting properties under appeal; and
- Review the issue of instances when a claimant of unfair assessment does not provide the information requested by the BOE in which cases the party should lose the right of appeal for that particular tax year.

Without objection, it was so ordered.

26. DULLES TASK FORCE (TAPE 6)

Supervisor Pennino stated that the Board has taken action to set up a Dulles Task Force and the Board has been waiting for the staff to report its recommendations as to the responsibilities of the Task Force. She said Mr. Joseph Stowers is an expert on transportation matters and very involved with the issues along the Dulles Corridor. She said that he has made some suggestions as to what he thinks the Task Force should be addressing. Therefore, Supervisor Pennino asked unanimous consent that the Board direct staff to review and evaluate the letter from Mr. Stowers. Without objection, it was so ordered.

27. CITIZEN TASK FORCES FOR THE LAND USE REVIEW
(TAPE 6)

Supervisor Pennino pointed out that Citizen Task Forces for the Land Use Review are underway and she said that the County should provide staff who can transcribe minutes of the various Task Force meetings in order to ensure an accurate account of what is discussed and provide the minutes to the Task Force members in a timely manner. Supervisor Pennino moved that the Board direct the County Executive to authorize the assignment of staff to attend each of the Plan Review Task Force meetings that request an individual to take and transcribe the minutes. This motion was seconded by Supervisor Hanley.

Supervisor Hanley stated that she could support the motion if the idea was to provide the Task Force with a summary/minutes to be distributed to the members and NOT providing a stenographer to transcribe and do a complete verbatim.

Following further discussion, Chairman Moore relinquished the Chair to Acting-Chairman Alexander and she asked unanimous consent that this issue be referred to staff for its review and recommendations. Without objection, it was so ordered.

Acting-Chairman Alexander returned the gavel to Chairman Moore.

28. "WASHINGTON POST" ARTICLE CONCERNING THE FAIR OAKS
HOSPITAL SPECIAL EXCEPTION APPLICATION SE 84-C-076
(TAPE 6)

(VERBATIM)

Supervisor Pennino referred to a Washington Post newspaper article concerning the Fair Oaks Hospital Special Exception Application SE 84-C-076 which was granted by the Board on December 3, 1984. She said that Condition Six allowed for an area of at least 7.5 acres to be offered to the Fairfax County Park Authority for public use. She said that this was recorded five years later in May 1989.

Supervisor Pennino said that the Fairfax Hospital Association would like to expand and build a second office building, and that one of the things the Fairfax Hospital Association is proposing is construction of this second office building on the 7.5 acres. She said that this is not acceptable. Supervisor Pennino said that she has learned that there was a quitclaim deed made on August 29, 1989 by and between the Fairfax County Park Authority and the Fairfax Hospital Association and this quitclaim deeded back to the hospital association ownership of the 7.5 acres of land.

Supervisor Pennino moved that the Board direct the County Attorney to review this issue and determine by what authority this land which was accepted at the time the Special Exception was approved, could be transferred. This motion was seconded by Supervisor Davis.

Supervisor Pennino stated that the planning staff has advised her that the Fairfax Hospital Association would like to obtain possession of this 7.5 acres so that they can obtain density credit for it in order to increase their Floor Area Ratio (FAR).

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

AR:AR

29. SIGNS REGARDING THE REQUIREMENT FOR FAIRFAX COUNTY AUTOMOBILE DECALS (TAPE 7)

Supervisor Hanley noted that since the Tyson's Corner Department of Motor Vehicles (DMV) had been remodeled, the signs regarding the requirement for all Fairfax County citizens to purchase automobile decals had not been put back on display. She asked unanimous consent that the Board direct staff to notify the Tyson's DMV that the County needs to have the signs regarding decals displayed at all times.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked that this request be amended to include a query to the Virginia DMV to determine if the County could also make available for its citizens at each DMV location in Fairfax County a one-sheet notice (hand-out) regarding the County's decal requirements.

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

Vice-Chairman Pennino returned the gavel to Chairman Moore.

30. POLICY REGARDING THE RELOCATION OF ANIMALS WHOSE NATURAL HABITAT HAS BEEN DISTURBED (TAPE 7)

Supervisor Hanley called the Board's attention to her request two weeks ago regarding whether there is a State or County policy covering the relocation of animals whose natural habitat has been disturbed during construction. She noted that she was pleased with the quick response from staff, but would like additional information.

Therefore, Supervisor Hanley asked unanimous consent that the Board direct staff to report on whether there is a State or County policy concerning the relocation (before construction begins) of large or exotic animals that may be in the areas of infill development. Without objection, it was so ordered.

31. INSTALLATION OF STREET LIGHTS IN AN AREA OF OAKTON (TAPE 7)

Supervisor Hanley stated that a resident of Oakton has inquired about the possibility of the installation of street lights along Oakton Road from its intersection with Jermantown Road to its intersection with Waples Mill Road. She asked unanimous consent that the Board direct staff to review this matter and initiate appropriate action to install street lights in that area. Without objection, it was so ordered.

32. REQUEST TO BAN SHINY INSERTS IN NEWSPAPERS (TAPE 7)

Supervisor Hanley stated that her office was in receipt of a thoughtful letter from a constituent urging the proposal of a resolution banning

shiny inserts in newspapers because these inserts are not recyclable. She asked unanimous consent that the Board refer this item to the Citizens Advisory Committee for Solid Waste Disposal for their consideration and response. Without objection, it was so ordered.

33. NOTICE OF INQUIRY FROM THE FEDERAL COMMUNICATIONS COMMISSION (FCC) (TAPE 7)

Supervisor Hanley noted that the Federal Communications Commission (FCC) has issued a Notice of Inquiry for cable comments as part of its Congresssionally mandated comprehensive study on the status of the cable television industry since enactment of the Cable Communications Policy in 1984. She asked unanimous consent that the Board direct staff to provide comments regarding this inquiry before the March 1, 1990 deadline. Without objection, it was so ordered.

34. GIFT OF AMERICAN FLAG AND VIRGINIA FLAG FROM THE TOWN OF HERNDON (TAPE 7)

Supervisor Richards expressed her delight with a recent visit from Mayor Thoesen of the Town of Herndon and Judy Downer, immediate Past President of the Herndon Chamber of Commerce, to present her office with an American Flag and a Virginia Flag. She stated that she wanted to repeat her thank you in public for the very nice gift.

35. THANKS TO SHERIFF M. WAYNE HUGGINS AND CARL PEED, CHIEF DEPUTY SHERIFF FOR TOUR OF THE ADULT DETENTION CENTER (TAPE 7)

Supervisor Richards expressed her appreciation to Sheriff M. Wayne Huggins and Carl Peed, Chief Deputy Sheriff, for the tour of the Adult Detention Center given to the Board of Directors of the McLean Citizens Association.

36. MAGAZINE OF THE COUNCIL OF GOVERNMENTS (COG) (TAPE 7)

Supervisor Richards called the Board's attention to the newest edition of The Region which is the magazine of the Metropolitan Washington Council of Governments (COG). She stated that this issue focuses on the very important subject of transportation and should prove quite useful to all Board Members.

37. RESOLUTION ON THE RECOMMENDATIONS OF THE REGIONAL CONFERENCE ON GROWTH AND TRANSPORTATION (TAPE 7)

Supervisor Richards stated that she had distributed to Board Members a Resolution on the recommendations of the Regional Conference on Growth and Transportation held November 15, 1989. She noted that the Board's representatives on the Metropolitan Washington Council of Governments

Board and the National Capital Region Transportation Planning Board are going to be asked to vote on the question of whether to establish a Blue Ribbon Regional Commission which would bring the public sector and the community interest together to discuss regional goals for growth and transportation, recommend needed policies and craft the institutional procedures to get these policies implemented. She stated that there is a charter to that commission which talks about who would make what appointments and noted that only two would be from local governments in Virginia.

Therefore, Supervisor Richards asked unanimous consent that the Board direct staff to place this item on its agenda to discuss at a future Board meeting. Without objection, it was so ordered.

38. REQUEST FOR SITE PLAN WAIVER FOR THE
LANGLEY SCHOOL (TAPE 7)

Supervisor Richards asked unanimous consent that the Board direct staff to review a request for a Site Plan waiver for the Langley School and return with its recommendation at the next Board meeting scheduled for January 29, 1990. Without objection, it was so ordered.

39. TYSONS TRANSPORTATION ASSOCIATION, INCORPORATED
(TYTRAN) REQUEST FOR COUNTY ASSISTANCE (TAPE 7)

Supervisor Richards referred to a request from Tysons Transportation Association, Incorporated (TYTRAN), for County staff assistance for the drafting of a survey of employees' commuting desires and needs. She stated that TYTRAN feels that if they could identify a more accurate picture of what is needed in Tysons Corner, they might be able to do a better job of having employees use the Tysons Shuttle.

Supervisor Richards asked unanimous consent that the Board direct staff to respond to this request from TYTRAN as soon as possible. Without objection, it was so ordered.

40. SPECIAL ALERT THAT WAS DISTRIBUTED ABOUT
THE ASSAULT ON THE CHILD IN ARLINGTON
(TAPE 7)

Supervisor Richards called the Board's attention to the recent special alert distributed about the assault on the child in Arlington County. Noting that the suspect was a Hispanic male posing as a police officer, she asked unanimous consent that the Board direct staff to return with information as to whether or not there was circulation of this description to the Spanish language radio and television stations, and also information, in Spanish, as to how to access the Crimesolvers Program. Without objection, it was so ordered.

41. NEW MAP OF MCLEAN (TAPE 7)

Supervisor Richards stated that a new map of McLean, distributed by the Friends of the McLean Community Center, is now available for \$3.50 each through the McLean Community Center.

42. STATUS OF ZONING ORDINANCE AMENDMENT (TAPE 7)

Supervisor Richards moved that the Board direct staff to furnish within three weeks the status of her previous request in regard to a Zoning Ordinance amendment on the special problem of someone using condominium laws to develop single family detached subdivisions as a way of avoiding the requirement for public street frontage. The motion was seconded by Supervisor Davis and carried by a vote of eight, Supervisor McConnell being out of the room.

43. PLANNING HORIZONS COMMUNITY MEETING (TAPE 7)

Supervisor Richards stated, for the record, that the Planning Horizons Community Meetings held on December 16, January 18, 20, and the meeting planned for next weekend will be re-broadcast on Channel 16 for those individuals now joining Task Forces who want to catch up on what has been going on so far.

44. NEED FOR A TYSON'S TASK FORCE (TAPE 7)

Supervisor Richards stated that the staff, in the Phase I Proposal of the Policy Plan, mentions the need for a Tyson's Task Force as a separate group because it involves three different Supervisor Districts. She stated that this task force would include membership from all three Districts. She asked unanimous consent that the Board consider the possibility of including two Representatives nominated by the Supervisor from each of the three Districts involved, plus three Representatives nominated by the Chairman of the Board, which would provide an odd number of members.

Due to the variety of issues that are involved, Supervisor Hanley asked that the request be amended to include a nomination of three Representatives from each District involved, and four nominations by the Chairman, and this was accepted.

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

45. RECENT EVENTS IN THE DISTRICT OF COLUMBIA (TAPES 7-8)

In light of the recent events in the District of Columbia involving Mayor Marion Barry and the residents of that City, Supervisor Hyland, noting the numerous contacts and activities that Fairfax County shares

with the District of Columbia, asked unanimous consent that the Board send a letter, under the Chairman's signature, to the District of Columbia City Council and Ms. Carol Thompson, the City Administrator.

Supervisor Hyland stated that the letter should indicate the Board's regret in terms of the events of the last several days, and our confidence in the City's ability to pull together and go forward as a government. Further, he stated that Fairfax County should commit its willingness in any and every way to assist D.C. in getting through what must be an incredibly difficult time. Without objection, it was so ordered.

AR:AR

46. ADMINISTRATIVE ITEMS (TAPE 8)

Supervisor Davis moved approval of the Administrative Items. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being out of the room.

ADMIN 1 - APPROVAL OF WATER MAIN EXTENSION:
TUTTLE ROAD (SPRINGFIELD DISTRICT)

Approved the request for the installation of approximately 300 feet of eight-inch water main along Tuttle Road for the provision of public water to 8652 and 8656 Tuttle Road, Springfield District. The proposed installation will provide adequate domestic and fire protection service pursuant to Fairfax County Ordinances.

ADMIN 2 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION
FOR SPECIAL EXCEPTION APPLICATION SE 87-P-041
(SHELL OIL COMPANY) (PROVIDENCE DISTRICT)

- (ET) Approved the request for 12 months of additional time to commence construction for Special Exception Application SE 87-P-041 until November 6, 1990 pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 3 - STREETS INTO THE SECONDARY SYSTEM
(CENTREVILLE, DRANESVILLE AND MOUNT VERNON
DISTRICTS)

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated January 22, 1990 be recommended for acceptance into the State Secondary System.

ADMIN 4 - APPROVAL OF TRANSITION RULES TO
IMPLEMENT THE L-PAY PLAN

Approved the transition rules contained in Attachment A of the Memorandum to the Board dated January 22, 1990 to implement the L-Pay

Plan for the attorneys in the County Attorney's Office (approved by the Board on January 8, 1990) to become effective January 1, 1990.

47. A-1 - STAFF RECOMMENDATIONS CONCERNING RETENTION OF EXPERIMENTAL METROBUS ROUTES 12R, 12S AND 18N PROPOSED IN WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) PUBLIC HEARING DOCKET NUMBER B89-14 (LEE, MOUNT VERNON, PROVIDENCE AND SPRINGFIELD DISTRICTS) (TAPE 8)

On motion of Supervisor Alexander, seconded by Supervisor Hyland, and carried by a vote of eight, Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and approved the experimental Metrobus Routes 12R, 12S, and 18N, as follows:

- Retain experimental Metrobus Routes 12S and 18N as permanent service, without modification, as described in Attachment A: Washington Metropolitan Area Transit Authority (WMATA) Public Hearing Docket Number B89-14; and
- Retain experimental Metrobus Route 12R as permanent service and extend Route 12R via Westfields Boulevard, Newbrook Drive, and Park Meadow Drive to serve a portion of the Westfields Office Park located on the east side of Sully Road.

48. A-2 - DRAFT FAIRFAX CONNECTOR BUS SERVICE PROPOSALS FOR THE SPRING 1991 OPENING OF THE VAN DORN METRORAIL STATION (LEE, MOUNT VERNON AND SPRINGFIELD DISTRICTS) (TAPE 8)

On motion of Supervisor Alexander, seconded by Supervisor Hanley, and carried by a vote of eight, Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and authorized holding a public meeting to obtain public input on the proposed FAIRFAX CONNECTOR bus services associated with the Spring 1991 opening of the Van Dorn Metrorail Station as outlined in Attachment One of the Memorandum to the Board dated January 22, 1990. The meeting will be held on February 21, 1990 at 7:30 p.m.

Noting that there are closer places to hold a meeting on the Van Dorn Street routes, Supervisor Alexander asked unanimous consent that the Board direct staff to look into the feasibility of changing the meeting place for that area from Key Intermediate School TO either Mark Twain Intermediate School or Edison High School. Without objection, it was so ordered.

49. A-3 - CANTERBURY WOODS CUT-THROUGH TRAFFIC
(ANNANDALE DISTRICT) (TAPE 8)

- (R) On motion of Supervisor Bulova, and seconded by Supervisor Hanley, and carried by a vote of eight, Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and adopted a Resolution:

- Requesting the Virginia Department of Transportation (VDOT) to conduct a review and address possible solutions to the cut-through traffic problem on Woodland Way and Queen Elizabeth Boulevard in the Canterbury Woods Subdivision, Annandale District; and
- Directing staff to provide the necessary documentation with the resolution.

Supervisor Davis asked unanimous consent that the Board direct staff to determine whether the portion of Beech Way between Nevius Street and Blair Street is included in the specified area or whether a new petition is required. Without objection, it was so ordered.

50. A-4 AMENDMENTS TO THE COUNTY'S CLASSIFICATION/
COMPENSATION PLANS - SENIOR CENTER ASSISTANT
(TAPE 8)

On motion of Supervisor Davis, seconded by Supervisor Hanley, and carried by a vote of eight, Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and approved the amendments to the County's Classification and Compensation Plans necessary to:

- Establish the proposed new class of Senior Center Assistant, Grade S-12 (\$20,145-\$31,181); and
- Abolish the existing exempt class of Senior Nutrition Aide, Grade S-12 (\$20,145-\$31,181).

51. A-5 - PARKING REDUCTION FOR HOLY SPIRIT
CHURCH/SCHOOL SITE (ANNANDALE DISTRICT)
(TAPE 8)

On motion of Supervisor Bulova, seconded by Supervisor Pennino, and carried by a vote of eight, Supervisor McConnell being out of the room,

the Board concurred in the recommendation of staff and approved an eight percent reduction of the required parking for Holy Spirit Church/School Site, Tax Map Reference 69-4-001-5; 70-3-001-5, 5B; and 69-4-001, 1, 2, 3, 4, Annandale District, pursuant to Paragraph 4, Section 11-102 of the Fairfax County Zoning Ordinance on condition that:

- The owner(s) of the Holy Spirit Church/School Site shall submit a parking space utilization study for review and approval by the Board of Supervisors at any time in the future that the Zoning Administrator may determine that parking at the complex may be inadequate to serve the use(s). Following review of that study, the Board may require the addition of any or all of the parking spaces by this application;
- The owner(s) of the Holy Spirit Church/School Site, prior to site plan approval, shall execute an agreement subject to approval by the County Attorney's Office to provide any additional parking deemed necessary by the Board as a result of the aforementioned studies. Additionally, the owner(s) shall agree to provide the additional parking within one year (appealable to the Board) of the Board's determination that additional parking is necessary. The executed agreement shall be recorded among the land records of Fairfax County and shall run with the title to the land;
- No parking space shall be sold or reserved for a use or individual not specifically allowed by this parking reduction as shown in the parking study/plan for this shared use or otherwise in accordance with County Code provisions; that is, van or car pool parking, loading spaces and handicapped parking etcetera;
- Shared parking with any additional use(s) shall not be permitted without the submission of a new parking study, subject to the Board of Supervisors' approval, prepared in accordance with the applicable requirements of Fairfax County;

- A minimum of 350 universal parking spaces shall be provided for these uses;
- All parking provided shall be in accordance with the applicable requirements of Article 11 of the Fairfax County Zoning Ordinance and the Public Facilities Manual; and
- All parking utilization studies conditioned by Board approval or required as a result of changed conditions will be based on County code requirements in effect at the time of said parking utilization study submission.

52. C-1 - EXPANSION OF GYPSY MOTH CONTROL PROGRAM
ALTERNATIVES AND COSTS (TAPE 8)

The Board next considered an item contained in the Memorandum to the Board dated January 22, 1990 regarding the expansion of Gypsy Moth Program beyond the 35,227 acres which have been proposed as a part of the State cost-share program.

Following a presentation by Robert J. Doyle, Director, Department of Extension and Continuing Education, a lengthy question and answer period ensued with special emphasis on what areas are to be sprayed and the availability of funds.

Supervisor Davis moved that the Board approve the following options and include Glenview Court as shown in the Memorandum to the Board dated January 22, 1990:

- Option A - Technical Assistance for Self-Help to citizens that will not be sprayed in 1990. Estimated Cost is \$1,300; and
- Option C - Supplemental Spraying from 35,227 State proposed acres to 43,000 delineated acres (7,773 acres added). Estimated Cost is \$298,000. This option requires borrowing 42 additional experienced Arborist and other County Staff for eight to 10 days and a vendor spray contract. A private vendor estimated his cost at \$500,000 to conduct this program in lieu of County staff. The Board may wish to include any areas which the State may drop due to a State budget shortfall. This State action would increase the estimated cost amount.

Supervisor Davis further moved that the Board be notified of final cost before approving the contract. This motion was seconded by Supervisor Bulova.

Supervisor Bulova asked that the motion be amended to include a suggestion that staff review the possibility of using senior volunteers under Option C, in lieu of borrowing the 42 people from County staff, and this was accepted.

Supervisor Hyland asked that the motion in regard to Option C be amended to include an analysis of the areas of Belle Haven, Hollin Hills, and Newington Forest of the Mount Vernon District for possible inclusion in the spraying program, and this was accepted.

Supervisor Alexander asked that the motion in regard to Option C be amended to include the analysis of a heavily-wooded area of Springfield Forest near the Metrostation in the Lee District for possible inclusion, and this was accepted.

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

Supervisor Bulova asked unanimous consent that the Board direct the staff to provide to the Supervisors' offices smaller versions of the map used in the Board Room showing areas of the County scheduled for spraying. Without objection, it was so ordered.

53. I-1 - ROAD BOND PROGRAM - QUARTERLY
FINANCIAL SUMMARY FOR DECEMBER, 1989
(TAPE 8)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 22, 1990 presenting the Road Bond Program - Quarterly Financial Summary for December 1989.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to provide information on the Road Bond Program by contract award, by annual year, specifically what is being done in 1990. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

54. I-2 - WASHINGTON METROPOLITAN AREA TRANSIT
AUTHORITY (WMATA) GENERAL MANAGER'S PROPOSED
FISCAL YEAR (FY) 1991 BUDGET (ALL DISTRICTS)
(TAPE 8)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 22, 1990 presenting the Washington Metropolitan Area Transit Authority's (WMATA) proposed Fiscal Year (FY) 1991 budget.

55. I-3 - A BRIEF GUIDE TO THE DEVELOPMENT PROCESS
FOR PROJECTS REQUIRING SPECIAL PERMITS AND SITE
PLANS (TAPE 8)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 22, 1990 presenting A Brief Guide to the Development Process for Projects requiring Special Permits and Site Plans recently developed by the Department of Environmental Management (DEM). The Guide includes the following elements:

The Guide includes the following elements:

- Basic steps in the development process;
- Points of contact from which applicants may obtain information;
- Summary of the requirements to be met at each step;
- Important points to remember about the application, review, and inspection process; and
- Approximate timeframes for completion of the process. (Note that the resolution of issues related to project design, acquisition of easements, etcetera may extend these timeframes significantly.)

Copies of the guide have been distributed to each Board Member's office and are available at the following locations:

- Department of Environmental Management (DEM) Building and Development Information Center Centerpointe I - First Floor;
- DEM Plan Control Branch Centerpointe I - First Floor;
- DEM Arborist Branch Centerpointe I - Fifth Floor;
- Office of Comprehensive Planning (OCP) Zoning Evaluation Division (ZED) Counter Centerpointe I - Seventh Floor;
- OCP Zoning Administration Division (ZAD) Division Permit, Plan Review Branch Centerpointe I - Second Floor;

- Office of Public Affairs Citizens Assistance Branch Massey Building - First Floor; and
- Fairfax County Libraries.

There was a brief discussion regarding this item, with input from Irving Birmingham, Director, Department of Environmental Management.

56. I-4 - HEALTH PLAN CHANGES FOR COUNTY EMPLOYEES
EFFECTIVE JULY 1, 1990 (TAPE 8)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 22, 1990 requesting authorization for staff to implement the proposed health plan changes on July 1, 1990 as described in the package.

The staff was directed administratively to proceed as proposed.

57. I-5 - AWARD OF CONTRACT ADDENDA FOR CONSTRUCTION
ADMINISTRATION SERVICES AND GEOTECHNICAL SERVICES
FOR PHASE I OF WOODLEY NIGHTINGALE REDEVELOPMENT
PROJECT (MOUNT VERNON DISTRICT) (TAPE 8)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 22, 1990 requesting authorization for staff to:

- Award a contract addendum to Greenehorne and O'Mara, Incorporated, in the amount of \$70,000 due to extended construction time which was not anticipated at the onset of construction;
- Award a contract addendum to Law Engineering and Testing Company in the amount of \$40,000 for the increase of the Geotechnical Services Contract; and
- Establish a contingency of \$11,000 for professional services not currently anticipated.

Following a query to J. Hamilton Lambert, County Executive, Supervisor Hyland asked unanimous consent that the matter of the contract for the Woodley Nightingale Redevelopment Project be included in the agenda for discussion in Executive Session. Without objection, it was so ordered.

58. I-6 - AWARD OF CONTRACT FOR PERMIT AND MITIGATION
PLAN PREPARATION FOR THE SOUTH VAN DORN STREET
PHASE III PROJECT (LEE DISTRICT) (TAPE 8)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 22, 1990 requesting authorization for staff to:

- Award a contract to WAPORA, Incorporated, in the amount of \$61,122.97 to assist Fairfax County in preparing an Individual Department of the Army (DA) permit and mitigation plan for Project 64134, South Van Dorn Street Phase III; and
- Reallocate funds from Project 006490 Construction Reserve TO Project 64134, South Van Dorn Street Phase III.

The staff was directed administratively to proceed as proposed.

59. I-7 - CONTRACT AWARD - GREEN SPRING FARM PARK -
PEDESTRIAN WALKWAYS AND ASSOCIATED WORK
(MASON DISTRICT) (TAPE 8)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 22, 1990 requesting authorization for staff to:

- Award a contract to C&F Construction Company of Washington, D.C., in the amount of \$77,900 for the construction of pedestrian walkways and associated work for Project 475188, Horticulture Program, Phase 116, Green Spring Farm Park, in Subfund 451, Park Authority Bond Construction; and
- Reallocate funds from Project 006490 Construction Reserve TO Project 64134, South Van Dorn Street Phase III.

The staff was directed administratively to proceed as proposed.

60. I-8 - CONTRACT AWARD - EMERGENCY REPAIRS TO
THE NEW ALEXANDRIA STORMWATER PUMP STATION
(MOUNT VERNON DISTRICT) (TAPE 8)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 22, 1990 requesting authorization for staff to award a contract to GKN Haywood Baker in the amount of \$80,860 for emergency repairs to the New Alexandria Stormwater Pump Station. In addition, a contingency of \$15,000 is required to fund potential unforeseen field conditions.

Therefore, total funds in the amount of \$95,860 are necessary from Subfund 470, Project X00056, New Alexandria Flood Control Project, to fund the associated contingency and related construction costs.

Supervisor Hyland asked unanimous consent that the Board direct staff to notify the citizens of the community involved, in advance, of the additional work required and the reason it is necessary. Without objection, it was so ordered.

Following input from John W. diZerega, Director, Department of Public Works, the staff was directed administratively to proceed as proposed.

61. RECESS/EXECUTIVE SESSION (TAPE 8)

At 3:00 p.m., Supervisor Davis moved that the Board recess and go into Executive Session for discussion of matters set forth in the Agenda, as well as for discussion of actual and potential litigation and other legal and personnel matters concerning:

- In Re Manchester Lakes Associates,
Bankruptcy Case Number 84-1551-A.

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

SBE:SBE

At 5:25 p.m., the Board reconvened in the Board Room with all Members being present, and with Chairman Moore presiding.

62. ACTIONS FROM EXECUTIVE SESSION (TAPE 9)

A. CERTIFICATION BY BOARD MEMBERS
REGARDING ITEMS DISCUSSED IN
EXECUTIVE SESSION

Supervisor Hyland moved that the Board of Supervisors certify that, to the best of their

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

B. DEPOSITION TESTIMONY TO BE PROVIDED
ON BEHALF OF THE BOARD OF SUPERVISORS
REGARDING MANCHESTER LAKES ASSOCIATES
BANKRUPTCY CASE #84-1551-A

Supervisor Alexander moved that the Board authorize the following individuals to provide deposition testimony on behalf of the Board of Supervisors regarding Manchester Lakes Associates Bankruptcy case 84-1551-A:

- Mr. Peter Braham;
- Mr. Robert S. Evans;
- Mr. William A. Plaster;
- Mr. Robert V. Porter;
- Mr. Jeffrey A. Quay;
- Mr. Henry Schenke;
- Mr. William A. Smoot;
- Mr. Burton O. Sours;
- Mr. Bob P. Ward; and
- Mr. John N. Winfield.

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

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and left the Board Room to take care of some pressing business in the Board Conference Room.

63. 3:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 86-P-101-2 (PAUL J. AND TERESA M. KLAASSEN) (PROVIDENCE DISTRICT) (TAPE 9)

Mr. Keith Tunell reaffirmed the validity of the affidavit for the record.

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

Supervisor Hanley moved approval of Special Exception Amendment Application SEA 86-P-101-2 subject to the development conditions contained in Appendix One of the Staff Report. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

64. DEFERRAL OF THE PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 89-D-044 (CHEVRON U.S.A., INCORPORATED) (TAPE 9)

Supervisor Richards moved to defer the public hearing on Special Exception Application SE 89-D-044 until February 12, 1990 at 3:30 p.m. This motion was seconded by Supervisor Hyland.

Following discussion, Supervisor Richards amended the motion to defer the public hearing on Special Exception Application SE 89-D-044 until February 26, 1990 at 3:30 p.m., and this was accepted.

The question was called on the motion which carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor Pennino, and Chairman Moore being out of the room.

(NOTE: Later in the meeting, additional action was taken regarding this item. See Clerk's Summary Item CL#72.)

65. 3:30 P.M. - PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 2 (PROPERTY UNDER COUNTY CONTROL), CHAPTER 61 (BUILDING PROVISIONS), CHAPTER 101 (SUBDIVISION PROVISIONS), CHAPTER 104 (EROSION AND SEDIMENTATION CONTROL), AND CHAPTER 112 (ZONING ORDINANCE), RELATING TO ADJUSTMENTS TO THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT'S FEE SCHEDULE (TAPE 9)

- (0s) Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that notice of said public hearing had been duly advertised in those Newspapers in the issues of December 29, 1989 and January 5, 1990.

Following the public hearing, Supervisor Alexander moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 2 (Property Under County Control), Chapter 61 (Building Provisions), Chapter 101 (Subdivision Provisions), Chapter 104 (Erosion and Sedimentation Control), and Chapter 112 (Zoning Ordinance), as it pertains to adjustments to the Department of Environmental Management's (DEM) fee schedule, to include the following amendments to become effective on February 1, 1990:

- Option B - Adoption of adjustments to the DEM user fee schedule including a four percent increase in Design Review and Inspection Services fees.

This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor McConnell, and Chairman Moore being out of the room.

(NOTE: Later in the meeting, action was taken to record Supervisor Hanley as voting "AYE" on this item. See Clerk's Summary Item CL#67.)

66. 4:00 P.M. - PH ON REZONING APPLICATION
RZ 88-A-124 (BO-BUD CONSTRUCTION
COMPANY OF VIRGINIA) (ANNANDALE
DISTRICT) (TAPE 9)

Mr. John McBride reaffirmed the validity of the affidavit for the record.

Following the public hearing, which included testimony by one speaker, Mary Ann Godfrey, 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 applied to the property which was the subject of Rezoning Application RZ 88-A-124 be amended from the R-1 District to the R-3 District subject to the execution of the revised proffers dated January 2, 1990. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

Supervisor Hyland clarified for the record that Mr. McBride's testimony contained a statement referencing the Annandale Tree Proffer and he reiterated that it is the "Sharon Bulova Tree Proffer."

67. REQUEST TO RECORD VOTE (TAPE 9)

Supervisor Hanley asked unanimous consent that she be recorded as voting "AYE" regarding the actions taken on proposed amendments to the Code of the County of Fairfax, Chapter 2 (Property Under County

Control), Chapter 61 (Building Provisions), Chapter 101 (Subdivision Provisions), Chapter 104 (Erosion and Sedimentation Control), and Chapter 112 (Zoning Ordinance), relating to adjustments to the Department of Environmental Management's (DEM) fee schedule as she was out of the room at the time of the vote. Without objection, it was so ordered.

68. 4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION
SE 89-C-027, PROFFERED CONDITION AMENDMENT
APPLICATION PCA 88-C-039, AND PROFFERED
CONDITION AMENDMENT APPLICATION PCA 88-C-091
(BAHMAN AND ROSHANAK BATMANGHELIDJ)
(CENTREVILLE DISTRICT) (TAPE 9)

Mr. Charles Shumate reaffirmed the validity of the affidavit for the record.

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

Vice-Chairman Pennino relinquished the Chair to Acting-Chairman Hyland and stated that in the Development Conditions, as well as the Proffers, there is a provision that the Federal Aviation Administration (FAA) will be notified of the proposal of the height of this building and it would have to have their concurrence before it could go forth.

Supervisor Pennino moved:

- Approval of the Proffered Condition Amendment Application PCA 88-C-039 subject to the executed of the revised proffers dated December 21, 1989;
- Approval of the Proffered Condition Amendment Application PCA 88-C-091 subject to the execution of the revised proffers dated December 21, 1989; and
- Approval of Special Exception Application SE 89-C-027 subject to the revised development conditions contained in Appendix Two of the Staff Report dated January 22, 1990.

This motion was seconded by Supervisor Bulova and carried by a vote of four, Supervisor Hanley abstaining, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

69. 4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION
SE 89-C-030 (MOBIL OIL CORPORATION)
(CENTREVILLE DISTRICT) (TAPES 9-10)

Mr. Philip Leber reaffirmed the validity of the affidavit for the record.

Supervisor Richards stated that an attorney with the firm of McGuire, Woods, Battle and Boothe is an attorney to a family trust of which her husband, Mr. Stanley Richards, is a beneficiary; however, the County Attorney has advised her that she may participate in this hearing.

Mr. Leber stated the applicant was in agreement with all the conditions in the Staff Report with the exception of one. He said that there is an existing sidewalk along Route 7 and along Gosnell Road that, as a result of Condition Number Eight, would have to be replaced with an asphalt trail. Mr. Leber stated that the applicant has requested that the condition be modified as follows: either that an asphalt trail or a concrete sidewalk consistent with what is currently existing be allowed.

Following the public hearing, which included testimony by one speaker, Robby Robinson, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Pennino reiterated that the applicant has requested to amend Condition Number Eight as follows:

- "...Asphalt trail within a 12-foot wide public access easement or a concrete sidewalk constructed with the existing sidewalk as approved and determined by the Department of Environmental Management (DEM)."

Upon his return to the Board Room, Acting-Chairman Hyland returned the gavel to Acting-Chairman Alexander.

Supervisor Pennino moved approval of Special Exception Application SE 89-C-030 subject to the proposed development conditions as amended and dated November 29, 1989. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Chairman Moore being out of the room.

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

70. 4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION
SE 89-S-031 (WESTFIELDS CORPORATE CENTER
ASSOCIATES LIMITED PARTNERSHIP)
(SPRINGFIELD DISTRICT) (TAPES 10-11)

Mr. Lee Fifer reaffirmed the validity of the affidavit for the record.

Supervisor Richards stated that an attorney with the firm of McGuire, Woods, Battle and Boothe is an attorney to a family trust of which her husband, Mr. Stanley Richards, is a beneficiary; however, the County Attorney has advised her that she may participate in this hearing.

Following the public hearing, which included testimony by one speaker, Kevin Guinaw, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor McConnell asked the Board of Supervisors to consider, if available, setting aside State funding to conduct a scientific study at the completion of this project.

Supervisor McConnell moved approval of Special Exception Application SE 89-S-031 subject to the revised development conditions dated January 22, 1990. This motion was seconded by Supervisor Bulova and carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor Pennino, and Chairman Moore being out of the room.

Supervisor McConnell moved that the Board direct staff to report with recommendations on how to proceed towards getting the monitoring that is necessary in these kind of projects and to work together to seek funding of some sort to make this an exemplary project for the rest of the County to use. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor Pennino, and Chairman Moore being out of the room.

CM:CM

71. 5:00 P.M. - PH ON REZONING APPLICATION
RZ 89-P-011 (MILLER AND SMITH LAND,
INCORPORATED) (PROVIDENCE DISTRICT)
(TAPE 11)

On behalf of Supervisor Hanley, Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 89-P-011 until January 29, 1990 at 5:00 p.m. This motion was seconded by Supervisor McConnell and carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor Pennino, and Chairman Moore being out of the room.

72. RECONSIDERATION OF EARLIER ACTION TAKEN
REGARDING SPECIAL EXCEPTION APPLICATION
SE 89-D-044 (CHEVRON U.S.A., INCORPORATED)
AND 5:00 P.M. PH ON SPECIAL EXCEPTION
APPLICATION SE 89-D-036 (NIKZAD MCLEAN
GENERAL PARTNERSHIP) (DRANESVILLE
DISTRICT) (TAPE 11)

(NOTE: Earlier in the meeting, the Board took action to defer the public hearing on Special Exception Application SE 89-D-044. See Clerk's Summary Item CL#64.)

Supervisor Richards moved to reconsider the Board's earlier action regarding Special Exception Application SE 89-D-044. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor Pennino, and Chairman Moore being out of the room.

Supervisor Richards stated that the action the Board took earlier in the meeting to defer the public hearing on Special Exception Application SE 89-D-044 was not necessary until the Board's scheduled meeting of January 29, 1990. She added that she had intended to defer the public hearing on Special Exception Application SE 89-D-036. Accordingly, she moved to defer the public hearing on Special Exception Application SE 89-D-036 until February 26, 1990 at 3:30 p.m. at the request of the applicant. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor Pennino, and Chairman Moore being out of the room.

Supervisor Richards announced that she would be absent from a portion of the Board of Supervisor's meeting scheduled on Monday, January 29, 1990, which will make it necessary for the Board to take action to defer the public hearing on Special Exception Application SE 89-D-044 until February 26, 1990 at 3:30 p.m.

73. 5:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT
APPLICATION SEA 86-V-074 (KEY C. HAN T/A KEY
AUTO SERVICE) (MOUNT VERNON DISTRICT)
(TAPE 11)

Mr. Edward D. McGuire, Jr., reaffirmed the validity of the affidavit for the record.

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

Supervisor Hyland moved DENIAL of Special Exception Amendment Application SEA 86-V-074. This motion was seconded by Supervisor Davis and carried by a vote of six, Supervisor Pennino abstaining, Supervisor Richards and Chairman Moore being out of the room.

(Concurring in the rationale set forth in the Staff Report, the Planning Commission noted that the applicant has refused to conform with previously approved conditions and, therefore, should not be granted an extension of this use.)

ADDITIONAL BOARD MATTER

74. DEFERRAL OF PUBLIC HEARING ON REZONING APPLICATION RZ 89-P-012 - (DAKOTA DEVELOPMENT, INCORPORATED) (TAPE 11)

Supervisor Hanley moved to defer the public hearing on Rezoning Application RZ 89-P-012 until February 26, 1990 at 4:30 p.m. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Richards and Chairman Moore being out of the room.

75. 5:00 P.M. - PH ON THE PROPOSED ABANDONMENT AND CONVEYANCE OF THORPE DRIVE (MOUNT VERNON DISTRICT) (TAPE 11)

Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that notice of said public hearing had been duly advertised in those Newspapers in the issues of January 5 and January 23, 1990.

Following the public hearing, which included testimony by one speaker, Supervisor Hyland moved DENIAL of the Order abandoning Thorpe Drive and the Resolution conveying the right-of-way to the two adjacent property owners, Mount Vernon District. This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Richards abstaining, Supervisor Davis and Chairman Moore being out of the room.

Supervisor Hyland asked unanimous consent that Board direct staff to work with the community association to explore alternatives available, i.e., either with the County constructing a trail or the citizens association having the land vacated so that the association may construct a short trail that will hook up to the existing trail on the other side. Without objection, it was so ordered.

PMH:PMH

ADDITIONAL BOARD MATTERS

76. REQUEST FOR INVESTIGATION INTO WET POND DESIGN AND MAINTENANCE STANDARDS (TAPE 11)

In light of the recent tragedy in the Springfield District whereby a five year old boy drowned in a wet pond, Supervisor McConnell moved that the Board direct staff to:

- Investigate wet pond design and maintenance standards;
- Determine if there is a need for public education on pond safety; and
- Determine what measures other jurisdictions and levels of government are taking on this issue and report its findings.

This motion was seconded by Supervisor Alexander.

Supervisor McConnell stated that there are a number of regional ponds to be constructed, 50 percent of which are to be wet and 50 percent of which are to be dry. She stated that the Board should have the option of knowing whether there is a choice of having dry ponds and if there is any way to convert an existing wet pond to a dry pond.

Following discussion, the question was called on the motion which carried by a vote of seven, Supervisor Davis and Chairman Moore being out of the room.

77. PERSONAL PROPERTY ASSESSMENTS (TAPE 11)

Supervisor McConnell stated that she had received calls and letters regarding personal property assessments. She said that it seems that the price that individuals have paid for their vehicles and the price that the Used Car Guide uses are different. Supervisor McConnell moved that the Board direct staff to review the uniform pricing guides which may more accurately affect a vehicle retail sale. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Davis and Chairman Moore being out of the room.

78. OUT-OF-TURN PLAN AMENDMENT SCHEDULED FOR PUBLIC HEARING (TAPE 11)

Supervisor McConnell stated that previously the Board had directed staff to review the issue of a roadway known as an abandoned road in conjunction with a pending rezoning in the Centreville Historic District. She said that on November 27, 1989 the Board directed staff to determine whether an Out-of-Turn Plan Amendment was warranted in order to consider the issue prior to the rezoning so that this could be resolved before the rezoning comes before the Board.

Supervisor McConnell stated that staff is now recommending that a Plan Amendment narrowly drafted which only addresses the abandoned road be considered on an Out-of-Turn basis. She added that they have made no recommendation as to whether or not the Plan should be changed. Therefore, Supervisor McConnell moved that the Board direct staff to schedule a public hearing before the Board of Supervisors on March 12, 1990 at 4:00 p.m. concerning this Out-of-Turn Plan Amendment on the abandoned road. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Davis and Chairman Moore being out of the room.

79. 5:30 P.M. - PH ON THE MEMORANDUM OF UNDERSTANDING BETWEEN THE BOARD OF SUPERVISORS AND THE SOUTHEAST FAIRFAX DEVELOPMENT CORPORATION (TAPE 12)

Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that notice of said public hearing

had been duly advertised in those Newspapers in the issues of January 5 and January 23, 1990.

(NOTE: The Board of Supervisors requested a public hearing relative to the biennial review of the Memorandum of Understanding between the County of Fairfax and the Southeast Fairfax Development Corporation, as required by the Corporation Bylaws. There is no recommendation prior to the public hearing, however, changes to the Memorandum of Understanding may be requested by the Board of Supervisors as a result of the public hearing.)

Following the public hearing, which included testimony by 10 speakers, Supervisor Alexander asked unanimous consent that the Board:

- Hold the record open until January 29, 1990 to receive additional written testimony; and
- Defer Board decision until January 29, 1990 during Board Matters.

Without objection, it was so ordered.

80. BOARD ADJOURNMENT (TAPE 12)

At 8:15 p.m., the Board adjourned.