



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

FEBRUARY 26, 1990

Board Package

5-90

AR:ar

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

Supervisor Alexander arrived at 9:55 a.m.

Supervisor Davis arrived at 10:25 a.m.

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 APPRECIATION PRESENTED TO M. WAYNE HUGGINS
(Tape 1)

Supervisor McConnell moved approval of the Certificate of Appreciation, presented to M. Wayne Huggins, Sheriff, Fairfax County, for his many years of dedicated service to the citizens and government of Fairfax County. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Alexander and Supervisor Davis not yet having arrived.

3. PROCLAMATION DESIGNATING "PARENTING DAY" (Tape 1)

Supervisor Hanley moved approval of the presentation of the Proclamation, presented to Jerry Zimmerman, Prevention Specialist, Woodburn Mental Health Center, David Hellem, Coordinator of Consultation and Educational Services, Northwest Mental Health Center, and Maria Lewan, representing the Mount Vernon Mental Health Center Advisory Board, proclaiming March 10, 1990 as "PARENTING DAY" in Fairfax County, and urging all citizens to participate in the workshops on parenting skills on March 10, 1990 at Marshall High School. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor McConnell being out of the room, Supervisor Davis not yet having arrived.

4. DEPARTURE OF SUPERVISOR LILLA RICHARDS,
DRANESVILLE DISTRICT (TAPE 1)

Supervisor Richards announced that she was leaving the Board Room to attend the funeral of Mr. Bill Foley, a former McLean "Citizen of the Year" and a very distinguished resident of the Dranesville District. She asked unanimous consent that the Board defer her Board Matter time until her return later in the meeting. Without objection, it was so ordered.

5. 10:45 A.M. - REPORT ON GENERAL ASSEMBLY
ACTIVITIES (TAPES 1-3)

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

Supervisor Hanley moved that the Board adopt the package with the modifications as recommended by the Legislative Subcommittee at its meeting held on Friday, February 23, 1990. This motion was seconded by Supervisor Hyland, and carried by a vote of six, Supervisor Alexander and Supervisor Richards being out of the room, Supervisor Davis not yet having arrived.

Following a presentation by J. Hamilton Lambert, County Executive, a lengthy discussion ensued among Board Members and County staff on several bills pending in the General Assembly, in particular, Senate Bill Number 170 concerning the Route 28 Tax District and House Bill Number 721 relating to certain zoning proffers.

Noting the upcoming meetings scheduled by the Planning Commission to mark-up the Proposed Policy Plan, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and she asked unanimous consent that the Board direct staff to return to the Board, before the end of today's session, with a recommendation on the following:

- How should the Board of Supervisors handle zoning cases and how should the Board request the Planning Commission to handle zoning cases; and
- What should the Board of Supervisors and the Planning Commission be doing with regard to the Comprehensive Plan.

Without objection, it was so ordered.

(NOTE: Later in the meeting, there was additional discussion and action regarding this issue. See Clerk's Summary Item CL#90.)

Vice-Chairman Pennino returned the gavel to Chairman Moore.

Supervisor Hyland referred to House Bill Number 900 concerning deferral of real estate taxes and he asked unanimous consent that the Board direct staff to review the impact of this bill, in particular, the following two areas:

- Bond Rating; and
- Cash Flow.

Supervisor Hyland stated that this is a "local option" bill and the Board of Supervisors, assuming the legislation is passed, will have to make a decision on whether to proceed with its advertisement for an ordinance amendment. He noted his particular concern that the County's Bond Rating could be jeopardized, and, therefore, he asked that the Board direct staff to conduct an in-depth study on the two above-stated issues, as well as determine how it would be administratively handled. Without objection, it was so ordered.

Following further discussion, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to include in its report on Senate Bill Number 900 an analysis of the impact of this bill on a homeowner or purchaser of property since the deferred taxes will be a lien against property and could possibly discourage loan companies from approving loans on such property. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

The County Executive applauded the outstanding legislative efforts of Karen Harwood, Assistant County Attorney, in Richmond during the past two weeks.

Supervisor Pennino commended Supervisor Hanley for her excellent work as Chairman of the Board's Legislative Subcommittee.

VLL:VLL

6. APPOINTMENT TO THE 1990 COMPLETE COUNT
CENSUS COMMITTEE (TAPE 4)

(APPT)

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and moved that the Board confirm the following appointments to the 1990 Complete Count Census Committee:

- Mr. William Hanks as the Federation of Citizens Associations Representative; and
- Ms. Julia Treagy as the Annandale Christian Community for Action Representative.

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

7. EXPANSION AND APPOINTMENT TO THE 1990 COMPLETE COUNT CENSUS COMMITTEE (TAPE 4)

(APPT)
(BACs)

Supervisor Moore stated that she had received a request from Marta V. Wyatt, newly-elected Chairperson, 1990 Complete Count Census Committee, recommending that the Board consider expanding the Committee to include one representative from the All Dulles Area Muslim Society. Accordingly, she moved that the Board:

- Direct staff to expand the 1990 Complete Count Census Committee to include representation from the All Dulles Area Muslim Society; and
- Confirm the appointment of Ms. Sharifa Alkhateeb as the All Dulles Area Muslim Society Representative.

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

8. ASSISTANCE REQUESTED FROM COUNTY TO OPPOSE THE WIDENING OF TOWN OF CLIFTON'S MAIN STREETS (TAPE 4)

Supervisor Moore called to the Board's attention a letter that she had received from Mayor Wayne H. Nickum, Town of Clifton, regarding the Virginia Department of Transportation's (VDOT) proposal to widen the Town's main streets to four lanes. Mayor Nickum is requesting Fairfax County's assistance in opposing VDOT's proposal.

Supervisor Moore moved that the Board direct staff to:

- Analyze the information contained in Mayor Nickum's letter and report to the Board with up-to-date information on the issue; and
- Provide the staff information to the subregional transportation committee currently working on this issue (composed of citizens from Fairfax and Prince William Counties) and request that the committee also report to the Board with recommendations.

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

9. COMMENTS REGARDING THE NORTHERN VIRGINIA
TRANSPORTATION ALLIANCE REPORT (TAPE 4)

Supervisor Moore called to the Board's attention the fact that the recent copy of the Northern Virginia Transportation Alliance Report had reported, "Fairfax County is the latest jurisdiction to join the Alliance."

Vice-Chairman Pennino briefed Board Members that the error had occurred when she applied for an individual professional membership which had been misinterpreted as membership for Fairfax County rather than the requested individual Board Member membership. She stated that the error had been corrected.

Supervisor Moore requested staff to follow-up and ensure that this correction had been made to the membership records.

10. PROPOSED ONE-WAY TOLL COLLECTION FOR THE
DULLES TOLL ROAD (TAPE 4)

Supervisor Moore stated that at the Board of Supervisors' meeting held on January 8, 1990, action had been taken to direct staff to review and report on the feasibility of implementing a one-way toll collection on the Dulles Toll Road. She asked unanimous consent that the Board direct staff to give priority to this concept and report with recommendations as expeditiously as possible.

Vice-Chairman Pennino stated that she is very familiar with the ramps and toll booths located along the Dulles Toll Road and it is her opinion that a one-way toll collection would not be possible unless the ramps are widened to four lanes, however, the engineering designs do not currently include this widening. She relinquished the Chair to Acting-Chairman Alexander and asked that the request be amended to direct staff to also review the engineering designs to determine whether this concept could be considered, and this was accepted.

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

Without objection, the amended request was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

11. APPOINTMENT TO THE CITIZENS BUDGET OVERVIEW
COMMITTEE (CBOC) (TAPE 4)

(APPT)

Supervisor Hyland moved the appointment of Mr. Frederick W. Suffa to fill the unexpired term of Mr. Woodrow L. Ginsburg who had resigned as the Mount Vernon District Representative to the Citizens Budget Overview Committee (CBOC). This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor Richards being out of the room.

12. APPRECIATION EXPRESSED TO BOARD MEMBERS'
STAFF FOR DONATION OF ANNUAL LEAVE (TAPE 4)

Supervisor Hyland called to the Board's attention that recently a member of his staff had found it necessary to arrange for a very serious operation, however, because the staff member had only been employed by the County for approximately one year, it had not been possible for her to build up the amount of sick leave necessary to cover her absence. Annual leave contributions from other staff members in his office still had not been sufficient to cover her absence and a plea was made to the Board of Supervisors' staff for additional donations.

Supervisor Hyland publicly expressed his appreciation to the staff who unselfishly contributed personal annual leave to this employee. Donations were received from staff members of the following offices: Chairman Audrey Moore, Supervisor Sharon Bulova, and Supervisor Joseph Alexander.

13. BOARD CONSIDERATION OF HIRING AN ADDITIONAL
COUNTY ATTORNEY TO EXCLUSIVELY HANDLE ZONING
ENFORCEMENT AND CONSUMER AFFAIRS CASES (TAPE 4)

(POLICY)

Supervisor Hyland called to the Board's attention the fact that Mount Vernon District has been experiencing difficulties with issues regarding zoning enforcement, in particular, meaningful and quick legal action against violators of the Fairfax County Zoning Ordinance. He stated that upon his recent inquiry about the status of some of the more notable zoning violation cases in his District, he was informed that the cases had not yet been resolved because either court dates or additional action by the Office of the County Attorney was needed.

Supervisor Hyland said that in two cases where "businesses" have been operating on Route One properties zoned C-8 with portions zoned R-2, the cases have been prepared and injunctions filed but no court date is imminent. He added that in another adjacent business, the owners have openly defied County authority by using the prior two violators as examples, citing that two years have gone by since the original summons were issued. In one particular case, which Supervisor Hyland had called to the Board's attention several months ago, the injunction had been filed in September 1989 and still no court date has been assigned.

Supervisor Hyland stated that similar comparisons may be made with Consumer Affairs cases. The County Attorneys assigned to these cases are deluged with other more pressing matters which results in the Consumer Affairs cases being deferred, some of which have been backlogged for more than nine months.

In an effort to expedite these cases, Supervisor Hyland moved that the Board refer this matter to the County Executive to:

- Determine the feasibility of hiring an additional County Attorney whose duties would be to exclusively handle zoning enforcement and consumer protection cases; and
- If necessary, find the appropriate funding adjustments to be made to cover this emergency situation.

This motion was jointly seconded by Supervisor Alexander and Supervisor Davis.

Supervisor Davis stated that, in his opinion, zoning enforcement is one of the County's major priorities, while being one of the County's major shortfalls in the area of County services. He stated that Mason District receives more complaints on zoning enforcement issues than traffic issues and that he felt that the assignment of more than one County Attorney is warranted. He asked that the motion be amended to include that the Board also direct the County Attorney to report with recommendations to resolve this issue, and this was accepted.

Supervisor Alexander called to the Board's attention the fact that several Zoning Enforcement positions had been authorized in last year's budget, however, these additional positions currently remain vacant. Supervisor Alexander asked that the motion be amended to include that the Board accept as its Policy that any vacancies for Zoning Enforcement positions be filled as expeditiously as possible, and this was accepted.

Supervisor Bulova asked that the motion be amended to include that the Board direct staff to report with the qualifications and requirements needed for the Zoning Enforcement positions, and this was accepted.

Supervisor Davis asked that the motion be amended to include that further discussion of the vacant Zoning Enforcement positions be placed on the agenda for discussion of personnel matters in Executive Session scheduled for later in the meeting, and this was accepted.

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

14. HUMAN SERVICES COUNCIL MEETING SCHEDULED
TO DISCUSS DEPARTMENT OF HUMAN DEVELOPMENT'S
DRAFT POLICY PAPER ON HOMELESSNESS
(TAPE 4)

Supervisor Hyland referred to the meeting notice circulated to Board Members on February 14, 1990 regarding the agenda for an upcoming Human Services Council meeting to continue discussions in the Department of Human Development's draft policy paper on homelessness. He noted that a number of organizations have been invited to participate in this meeting, however, representatives operating the various homeless shelters in the County have not been included.

Supervisor Hyland pointed out that as the shelters throughout the County are dealing with this problem on a daily basis, it would seem appropriate to include representatives from the operating level. In addition, he stated that because this paper has been very controversial, he felt that any organization concerned with this issue should be invited to attend as well.

Supervisor Hyland asked unanimous consent that the Board request staff to encourage the Human Services Council to also invite participation from representatives operating the various homeless shelters, as well as any group that has expressed an interest in this paper. Without objection, it was so ordered.

15. ASSISTANCE REQUESTED ON THE DEPARTMENT OF
PUBLIC WORKS' GUNSTON MANOR/HALLOWING POINT
DRAINAGE PROJECT AND POTENTIAL PROBLEMS TO
THE WETLANDS OF JACOB'S CREEK (TAPE 4)

Supervisor Hyland called to the Board's attention that on January 17, 1990, the following motion was approved by the Fairfax County Wetlands Board:

- "To express to the Board of Supervisors, the Wetlands Board's concern about the potential adverse impact of the Department of Public Works' (DPW) Gunston Manor/Hallowing Point Drainage Project on the valuable wetlands of Jacob's Creek, where a wetlands violation is being corrected by a Wetlands Board ordered restoration. In addition, the DPW should be urged to plan the project so as to allow the least adverse impact on the water quality of the Potomac River as in accord with the Chesapeake Bay Preservation Act."

Supervisor Hyland asked unanimous consent that the Board refer the above-stated motion to the DPW for its review and direct staff to report to the Board of Supervisors with a response to the concerns. Without objection, it was so ordered.

16. REQUEST MEETING WITH VIRGINIA DEPARTMENT OF
TRANSPORTATION OFFICIALS TO DISCUSS SIGNAGE
ISSUES FOR RESIDENTIAL AREAS (TAPE 4)

Supervisor Hyland distributed to Board Members a response that he had received from the Virginia Department of Transportation (VDOT) regarding his request for the installation of "CHILDREN AT PLAY" signage in the Plymouth Haven neighborhood. He stated that VDOT had denied this request advising that the current signage was found to be sufficient.

Supervisor Hyland stated that in working with VDOT, he realized that there are specific guidelines that are used to determine if the signage is appropriate. He said that from a safety perspective the use of this sign would appear to be an excellent way to encourage child safety.

Supervisor Hyland moved that the Board direct staff to meet with VDOT officials to discuss signage requests from neighborhoods and to determine whether VDOT could be more flexible in responding to safety signage requests from neighborhoods. This motion was jointly seconded by Supervisor Alexander and Supervisor Bulova.

Supervisor Pennino called to the Board's attention the recent 456 hearing held on the location of the proposed Pender/Franklin Elementary School. She stated that during the public hearing, citizens had raised safety concerns regarding the intersection of Waples Mill Road/History Drive and had requested that safety signage or pedestrian crossing signals be installed at this location. Supervisor Pennino stated that VDOT denied this request because the school has not been constructed. She stated that if citizens have to wait until the school is constructed to again request the safety measures, it could take as much as two more years for VDOT to install the safety signage or pedestrian crossing signals.

(NOTE: Later in the meeting, action on this request was restated for the record. See Clerk's Summary Item CL#28.)

Supervisor Pennino asked that the motion be amended to include that the Board direct staff to:

- Determine whether Fairfax County government could use its financial resources to install safety signage in circumstances where the signage has been denied by VDOT; and
- Review the safety concerns regarding the intersection of Waples Mill Road/History Drive expressed by the citizens.

This amendment was accepted.

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

17. ACCOKEEK FOUNDATION AIR QUALITY CONCERNS
REGARDING FAIRFAX COUNTY'S MASS BURN
INCINERATOR (TAPE 4)

Supervisor Hyland distributed to Board Members a letter that he had received from the Accokeek Foundation which operates the National Colonial Farm across the Potomac River from Mount Vernon. He said that the Foundation expressed its concern regarding the monitoring of air quality in the area of the Potomac River basin, in particular, the concern that the present air monitoring system does not test for aromatic hydrocarbons. In addition, the Foundation is also concerned about whether adequate testing will be conducted on the incinerator built near Lorton, Virginia to burn Fairfax County's solid waste and what impacts, if any, the emissions from the facility would have on the area.

Accordingly, Supervisor Hyland asked unanimous consent that the Board direct staff to schedule a meeting with the Accokeek Foundation to discuss the concerns and issues raised. Without objection, it was so ordered.

Chairman Moore stated that the mass-burn facility is being built at higher standards than required by Virginia State and federal standards.

18. VIRGINIA STUDENT ENVIRONMENTAL HEALTH
PROJECT (TAPE 4)

Supervisor Hyland stated that the Virginia Student Environmental Health Project, better known as the STEHP Program, is a technical assistance

program provided by the Center for Environmental and Hazardous Materials Studies of Virginia Polytechnic Institute and State University (VPI&SU) located in Blacksburg, Virginia. He said that the STEHP program provides the necessary resources to communities that lead to the study and resolution of environmental problems, as well as assists local community leadership in dealing with environmental issues.

Supervisor Hyland said that a few years ago, STEHP offered the Lorton community assistance regarding the Lower Potomac Water Pollution Control facility's expansion and the "then proposed" incinerator. During that time, two students lived with families for the summer and provided assistance in water quality testing and subsequent monitoring, detailed research on the pros and cons of mass burn incinerators, and helped to prepare an all day environmental conference held at George Mason University. He noted that in other communities, STEHP has assisted with PCB, soil sampling, as well as conducted health surveys, developed community recycling programs, and trained community residents to conduct water monitoring.

Supervisor Hyland stated that STEHP is looking for current or recent college graduate students to become part of the environmental problem solving staff. Additionally, he stated that STEHP is offering its assistance to communities with environmental issues.

Supervisor Hyland announced that interested individuals should write to the following:

VA Student Environmental Health Project
202 Architecture Annex VPI&SU
Blacksburg, VA 24061
(703) 231-6953

19. APPOINTMENT TO THE 1990 COMPLETE COUNT
CENSUS COMMITTEE (TAPE 4)

(APPT)

Supervisor Alexander moved the appointment of Ms. Roberta McKay as the Lee District Representative to the 1990 Complete Count Census Committee. This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Davis, Supervisor McConnell, and Supervisor Richards being out of the room.

20. EXPANSION OF THE BOARD'S JOINT SUBCOMMITTEE
WITH THE PARK AUTHORITY REVIEWING THE
POSSIBLE CONSOLIDATION OF VARIOUS
FUNCTIONS (TAPE 4)

(BACs)

Supervisor Alexander referred to the Board's Subcommittee, comprised of representatives from the Board of Supervisors and the Park Authority to review the consolidation of related functions pertaining to athletic

fields, etcetera. He asked unanimous consent that the Board expand the Subcommittee to include two representatives from the Athletic Council. He stated that the Athletic Council is charged with the responsibility of scheduling athletic fields throughout the County. Without objection, it was so ordered.

Chairman Moore stated that she had not yet made appointments to the Subcommittee, however, when appointments were made, she would include representation from the Athletic Council.

21. APPOINTMENT TO THE A. HEATH ONTHANK MEMORIAL
AWARD SELECTION COMMITTEE (TAPE 4)

(APPT)

Supervisor Alexander moved the appointment of Ms. Gloria Maher as the Lee District Representative to the A. Heath Onthank Memorial Award Selection Committee. This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Davis, Supervisor McConnell, and Supervisor Richards being out of the room.

22. LACK OF BUFFERS/BARRIERS BETWEEN
INTERSTATE I-95 AND BACKLICK ROAD
(TAPES 4-5)

Supervisor Alexander stated that sometime ago he had called to the Board's attention an "unbelievable" situation being experienced by residents along Backlick Road because of the combined widening of Interstate I-95 and Backlick Road. At that time, all screening and buffering had been eliminated for the new lanes and he had requested that the Virginia Department of Transportation (VDOT) install a sound wall at the site. Supervisor Alexander stated that after his office had generated a great deal of correspondence and had assembled a portfolio, which included an array of photographs and an artist's conception showing the impact of the project, he was able to obtain a noise mitigation proposal from VDOT which included a berm and double row of plantings.

Currently, Supervisor Alexander stated that the remaining strip of trees along this area has been eliminated and a new lane of asphalt has been spread. He displayed photographs on the viewgraph which showed serious safety issues concerning the following situations:

- The left asphalt lane (Interstate I-95) and its close proximity to Backlick Road (another problem has been added to the situation because there is a proposal to widen Backlick Road which will bring it even closer to Interstate I-95 and there is no space left to add a buffer or sound wall);

- The Springfield Volunteer Fire Department, Station Number 22, showing its close proximity to the actual pavement of Interstate I-95. He stated that there is a severe safety concern that, without a safety wall, a loaded tractor-trailer from Interstate I-95 could easily plow into the Station; and
- Front yards of residences located along Backlick Road showing the close proximity to Interstate I-95.

Supervisor Alexander stated that he has scheduled a meeting on March 7, 1990 at 7:30 p.m. at the Springfield Volunteer Fire Department, Station Number 22, to include representatives from VDOT, as well as elected General Assembly officials to discuss these severe safety issues. He moved that the Board give its approval and active participation in advancing this effort, as well as its strong support to requesting VDOT to protect the integrity of the express lanes and regular traffic, and health, safety, and welfare of the residents along Backlick Road and the Springfield Volunteer Fire Department, Station Number 22, with the installation of a safety wall. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Davis and Supervisor Richards being out of the room.

Supervisor Alexander stated that he has been working with Andrew V. Bailey, III, Fairfax Resident Engineer, VDOT. He stated that Mr. Bailey has been very helpful in trying to change the configuration of Backlick Road in order to lessen the impact, however, the more the impact is lessened on the single-family residents along Backlick Road, the more severe the impact becomes on Interstate I-95.

Chairman Moore requested Supervisor Alexander to send her a written reminder of the upcoming meeting and she would make every effort to attend.

23. SAFETY CONCERNS REGARDING THE PLACEMENT
OF MAST-ARM TRAFFIC LIGHTS (TAPE 5)

Supervisor Alexander distributed to Board Members various photographs showing the misplacement of mast-arm traffic lights by the Virginia Department of Transportation (VDOT):

- Mast-arm traffic light placed in the middle of a sidewalk; and

- Mast-arm traffic light placed in the front of a serpentine wall when there was an opportunity to place the pole in the right-of-way behind the sidewalk, i.e., currently the mast-arm, because of its length and weight of the lights, slopes down instead of up, making it a safety hazard to anyone using the sidewalk.

Supervisor Alexander asked unanimous consent that the Board direct staff to discuss these matters with representatives of VDOT at the next regularly scheduled meeting. Without objection, it was so ordered.

Supervisor Alexander expressed his appreciation to Robert J. Heittman, Sr., Lee District Representative, Transportation Advisory Commission, and his son, Robert J. Heittman, Jr., for providing him with the photographs.

24. LOAN ASSISTANCE REQUESTED FOR MODERATE-INCOME RESIDENTS TO CORRECT SOIL SLIPPAGE
(TAPE 5)

Supervisor Alexander stated that sometime ago he had requested staff from the Office of the County Attorney and the Fairfax County Redevelopment and Housing Authority to review the issue of providing loan assistance to moderate-income residents to correct soil slippage problems. He stated that the County Attorney had opined in a response dated February 16, 1990 that "...the Code of Virginia must be amended to specifically authorize authorities (Housing Authority) to make loans to assist moderate-income residents throughout the County in repairing structural damage to their homes caused by marine clay or other problem soils."

Supervisor Alexander asked unanimous consent that the Board:

- Direct staff to draft the necessary amendments for consideration during the next session of the General Assembly; or
- If possible, request the Chairman of the Board's Legislative Subcommittee to review the issue to determine whether the amendment could be attached to any pending legislation.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked that the request be amended to include that the Board direct staff to report with a cost estimate on the program, and this was accepted.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

Without objection, the amended request was so ordered.

Supervisor Pennino called to the Board's attention the situation that had occurred at the Northgate Townhouse Community in Reston. She stated that the common walls had separated between the townhouses causing a four-inch area where residents of one townhouse could look under the walls of the residents of the other townhouse. She stated that the problem had been caused by soil that had settled, however, the residents were not considered eligible for any kind of assistance because of their incomes. She stated that if assistance is provided to residents with soil slippage than assistance would have to be provided for other types of soil situations.

25. REQUEST FOR WAIVER OF FEES ASSOCIATED
WITH VARIANCE FILED WITH THE BOARD
OF ZONING APPEALS (BZA) (TAPE 5)

Supervisor Alexander stated that Mr. and Mrs. Benner had filed an application with the Board of Zoning Appeals (BZA) for a variance of the set-back requirement on property located on Monroe Drive. He stated that after the Benners had filed the \$900 in required fees, a technical problem was suffered with the application, which was then denied by the BZA.

Supervisor Alexander stated that currently the staff of the Office of Comprehensive Planning is recommending that the Benners should refile their variance application, however, an additional \$900 in fees is required. He asked unanimous consent that the Board refer this issue to staff to determine whether the Benners filing fees could be waived. Without objection, it was so ordered.

26. STATE OF FLORIDA LAW WHICH ALLOWS LOCAL
JURISDICTIONS ADEQUATE PUBLIC FACILITIES
BY STATUTE (TAPE 5)

Supervisor Alexander called the Board Members' attention to the fact that the State of Florida utilizes laws which permit its local jurisdictions adequate public facilities by statute, i.e., Concurrency Law. He provided the following example:

- Broward County, Florida - a developer, whether his land has been zoned or not, must take care of the traffic problems at a certain level and, whatever density is placed on the land, even by-right and by zoning, the developer must still provide traffic mitigation measures required by the County. The developers must satisfy the County traffic requirements in whatever manner the staff feels is appropriate.

Supervisor Alexander stated that this system has not impeded development but has improved greatly the quality of the development of roads. He asked unanimous consent that the Board refer the collected data, ordinance, and guidelines to staff for its review and to report to the Board with a summary of the combined information.

Supervisor Bulova stated that for the past several years, the General Assembly has been requested to consider allowing Fairfax County the ability to have an adequate public facilities ordinance. She stated that for the past two years, the request had been "killed," however this year, the issue was referred to a study committee. She asked that the request be amended to include that the staff also forward the information to the study committee to show how the system works in other jurisdictions, and this was accepted.

Supervisor McConnell asked that the request be amended to include that the Board direct staff to report with recommendations on a proposal for the creation of an "informational pamphlet" for distribution to inform citizens of the road system, the ownership of the road system, how the road system is funded, etcetera, and this was accepted.

Supervisor Bulova asked that the request be amended to include that the Board direct staff to report with a cost analysis to prepare and distribute the informational pamphlet, and this was accepted.

Supervisor Alexander asked that the request be amended to include that the informational pamphlet would be "subject to the Board's approval," and this was accepted.

Chairman Moore relinquished the gavel to Vice-Chairman Pennino and asked that the request be amended to include that the Board direct staff to distribute to Board Members a summary of the information provided by Supervisor Alexander, and this was accepted.

Supervisor Moore asked that the request be amended to include that the Board strongly support, as its "number one" legislative priority for next year, an adequate public facilities ordinance, however following discussion, it was determined that an adequate public facilities ordinance would be one of the Board's strong priorities for next year rather than its number one priority, and this was accepted.

Without objection, the amended request was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

27. CLASSIC TOURNAMENT IN FAIRFAX COUNTY
HOSTED BY THE NORTHERN VIRGINIA
SENIOR SOFTBALL LEAGUE (TAPE 5)

Supervisor Pennino called to the Board's attention a letter that she had received from Richard Wessel, President, Northern Virginia Senior Softball League, announcing that the Classic Tournament would be hosted in Fairfax County this year.

Supervisor Pennino moved that the Board request the County Executive to provide any necessary assistance to the Northern Virginia Senior Softball League in this endeavor, as well as respond to Mr. Wessel's letter with carbon copies forwarded to Board Members. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Richards being out of the room.

28. REQUEST FOR SAFETY MEASURES TO BE INSTALLED
AT THE INTERSECTION OF WAPLES MILL ROAD/
HISTORY DRIVE (TAPE 5)

(NOTE: Earlier in the meeting, this request was called to the Board's attention, however, for the record, the request was restated. Clerk's Summary Item CL#16.)

Supervisor Pennino stated that earlier in the meeting, she had called to the Board's attention the concerns raised by the citizens during the recent 456 hearing held on the location of the proposed Pender/Franklin Elementary School. She stated that during the public hearing, citizens had raised safety concerns regarding the intersection of Waples Mill Road/History Drive and had requested that safety signage or pedestrian crossing signals be installed at this location. Supervisor Pennino stated that the Virginia Department of Transportation (VDOT) had denied this request because the school has not been constructed. She stated that if citizens have to wait until the school is constructed to again request the safety measures, it could take as much as two more years for VDOT to install the safety signage or pedestrian crossing signals.

Supervisor Pennino asked unanimous consent that the Board direct the Director, Transportation Planning, to consult with representatives from VDOT on the possibility of erecting some type of traffic safety signal at the intersection of Waples Mill Road/History Drive. Without objection, it was so ordered.

29. ERECTION OF FENCES AROUND THE STONEGATE VILLAGE APARTMENTS AND 32-TOWNHOUSE UNIT COMPLEX LOCATED ADJACENT TO THE GOVERNMENT CENTER AND POLICE STATION TO PROTECT RESIDENTS (TAPE 5)

Supervisor Pennino referred to the problems regarding fencing in the Reston area, i.e., first there had been the controversial request to remove the fence located around the Central Intelligence Agency (CIA) Building and currently the controversial request to erect a fence around the Stonegate Village Apartments to protect the residents from outsiders selling or using illegal drugs.

Supervisor Pennino stated that she and the Fairfax County Redevelopment and Housing Authority (FCRHA) would like to conduct continued meetings with the tenants of the Stonegate Village Apartments concerning the placement of a fence around the complex to protect the residents from outsiders selling or using illegal drugs. She stated that part of the problem has come from the owners of the complex because the FCRHA has not yet completed its purchase/acquisition.

Supervisor Pennino stated that the FCRHA is also constructing 32 townhouse units on a site adjacent to the government center and police station that had been dedicated to the County by the Reston Land Corporation. She stated that the police patrol vehicles contain very sophisticated equipment and firearms are often left in vehicles when officers go into the police substation. In order to protect the equipment, and in particular, to protect the children residing in the townhouse units, it is necessary to install fencing at this location as well.

Supervisor Pennino asked unanimous consent that the Board direct staff to investigate these two issues and report to the Board with recommendations. Without objection, it was so ordered.

30. NOTICE TO RESIDENTS CONCERNING ADEQUATE POSTAGE ON PERSONAL PROPERTY TAX PAYMENTS MAILED TO THE COUNTY (TAPE 5)

Supervisor Pennino referred to a situation whereby a number of her constituents had mailed their personal property tax payments to the County close to the December 5 due date. Unfortunately, she stated that the constituents included several tax bills in one envelope and had only used a .25¢ postage stamp. The results had been that the postal service returned the payments to the constituents for additional postage causing their payments to be received after the December 5 due date.

Supervisor Pennino stated that the constituents feel that the penalty and interest for late payment should be waived because the envelopes were postmarked on and before the December 5 due date. She stated that staff from the Office of Finance had pointed out that the Code of Virginia states that ".....the penalty and interest cannot be waived unless the payment was received late through no fault of the taxpayer." In concurrence with the staff, Supervisor Pennino stated that she agrees that insufficient postage can only be considered the taxpayers' fault, therefore, the penalty and interest cannot be waived.

Supervisor Pennino called to the attention of the Board the fact that the Internal Revenue Service (IRS) and Virginia Department of Taxation, as well as many financial institutions, print reminders on their return envelopes to remind individuals to use sufficient postage. Supervisor Pennino asked unanimous consent that the Board direct staff to review the possibility of including reminders with the tax bills and on return envelopes to encourage taxpayers to use sufficient postage and report to the Board with recommendations. Without objection, it was so ordered.

31. REQUEST BY THE FAIRFAX COUNTY VOLUNTEER
FIRE SERVICE FOR ASSISTANCE IN OBTAINING
FIRE RETARDANT EQUIPMENT/CLOTHING (TAPE 5)

Supervisor Pennino stated that representatives from the Fairfax County Volunteer Fire Service had informed her that their request for fire retardant equipment/clothing has been removed from the County Executive's budget. She stated that it is important that the Board of Supervisors continue to fund volunteer fire services and the necessary equipment to perform adequately. In addition, she stated that the issue of retirement benefits for volunteer firemen was again raised.

Supervisor Pennino asked unanimous consent that the Board:

- Direct the County Executive to provide Board Members with additional information on these requests; and
- Refer to the Board's Safety Subcommittee (Supervisor Hyland, Chairman) for its review the issue of fire retardant equipment/clothing for the volunteer firemen.

Chairman Moore relinquished the Chair to Acting-Chairman Alexander and asked that the request be amended to include that the Board direct staff to report with the fiscal information on these requests as well, and this was accepted.

Without objection, the amended request was so ordered.

32. OFFICIAL POSITION OF THE RESTON BOARD OF
COMMERCE (RBC) REGARDING FAIRFAX COUNTY
TAXES ON RETAIL SALES AND LOCAL GASOLINE
TAXES (TAPE 5)

Supervisor Pennino entered into the record the official position of the Reston Board of Commerce (RBC) supporting:

- A one-half of one percent increase in the present 4.5 percent Fairfax County tax on retail sales; and
- An increase of five percent in the local gasoline tax with the funds generated to be used to help close the gap in the funding required for the Northern Virginia transportation infrastructure needs as identified in the 2010 Plan.

In addition, the RBC requested that the Board ask its local and State representatives to press harder for transportation dollars for local needs while signalling RBC's willingness as a business organization to support the tax increases outline above.

Supervisor Pennino asked unanimous consent that the Board direct staff to place this matter in the County's legislative consideration file for 1991. Without objection, it was so ordered.

33. RESEARCH REQUESTED REGARDING A COMMITMENT BY
FAIRFAX COUNTY ON THE USE OF TOLL ROAD FUNDS
(TAPE 5)

(RESEARCH)

Supervisor Pennino stated that she had received a letter from Carrington Williams, Member, Metropolitan Washington Airports Authority (MWAA), dated February 14, 1990, informing her that the MWAA had granted to Fairfax County and the Virginia Department of Transportation (VDOT) the use of MWAA land at no cost with the understanding that surplus funds from the Dulles Toll Road would be utilized for rail service along the median strip of the Dulles Access Road.

Supervisor Pennino stated that she did not recall the Board of Supervisors entering into such an agreement with the MWAA. She asked unanimous consent that the Board direct staff to research this issue and report to the Board as to what commitments Fairfax County has with MWAA on the use of Toll Road funds. Without objection, it was so ordered.

Chairman Moore stated that she did not recall such a commitment being made by Fairfax County, however, she did recall a bill proposed before the Senate Transportation Subcommittee last week which contained an extensive amendment by Senator Waddell to Delegate Plum's bill that would have included an opportunity to use some of the revenues for mass transit or rail, but also specifically stated that the revenues would have to be used by a transportation district. Chairman Moore informed Board Members that the amendment had been removed by the Senate Transportation Subcommittee and the bill currently permits an allowance to use those revenues for rail as well as improvements to the road itself and intersections, however, there is no requirement limiting the use to a transportation district.

PMH:PMH

34. BORROWING FROM RETIREMENT FUNDS (TAPE 6)

Supervisor Bulova said that Board Members may recall an article in the Washington Post on February 19th, entitled "Virginia Budget Panels Agree To Provide Reserve Fund", that describes a proposal to borrow money for capital projects from the Virginia Supplemental Retirement System.

Supervisor Bulova stated that a member of her Budget Committee has suggested that the County should explore doing something similar to this. Now that the Citizens' Budget Overview Committee is in operation, Supervisor Bulova asked unanimous consent that the Board direct the Budget Committee to examine the use of retirement funds, and specifically determine whether there would be any advantage in borrowing from the funds, as the state is apparently proposing to do.

Following discussion, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked that the request be amended to also include a review by the Office of Finance.

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

35. CALLER ID SERVICE PROPOSED BY THE CHESAPEAKE AND POTOMAC (C&P) TELEPHONE COMPANY (TAPE 6)

Supervisor Bulova stated that the Consumer Protection Commission conducted a meeting on January 16, 1990 to allow concerned parties to present their views on the new Caller ID service proposed by the Chesapeake and Potomac (C&P) Telephone Company.

Supervisor Bulova said that the County has already taken a position regarding legislation that would require C&P to offer a "blocking" service for persons with unlisted phone numbers. After its January meeting, the Commission moved to urge the Fairfax County Board to formally request the State Corporation Commission (SCC) to suspend the tariff of Caller ID until the views of the public have been heard and evaluated. Supervisor Bulova asked unanimous consent that the Board direct the Chairman to send a letter expressing these views to Mr. Thomas Harwood, Chairman of the SCC. Without objection, it was so ordered.

36. REQUEST FOR WAIVER OF BOND EXTENSION FEES
(TAPE 6)

Supervisor McConnell stated that she has two requests for waivers of the bond extension fees. She said that one is from Wills Commercial for Mariah Business Center and the other is from Richmond America for Gate Post Estates. She said that both feel that events dictated by the County or the State forced them to extend their bond and therefore they should not have to pay the bond extension fee. Supervisor McConnell asked unanimous consent that the Board direct the County Executive and the Director of the Department of Environmental Management (DEM) to review this issue and determine whether the criteria have been met. Without objection, it was so ordered.

37. REQUEST FOR A POLICY WHICH ADDRESSES THE ISSUE
OF PROVIDING FENCES IN CONJUNCTION WITH ROAD
PROJECTS (TAPE 6)

Supervisor McConnell referred to a fence built in the Annandale District in conjunction with the widening of Rolling Road between the Norfolk Southern Railroad tracks and Burke Lake Road. She said that the County and the developer paid for the fence to be constructed. She noted that there was not a uniform policy which addresses this issue. Supervisor McConnell stated that constituents in the Springfield District were requesting the same thing for road projects. Therefore, Supervisor McConnell asked unanimous consent that the Board direct staff to draft a formal policy regarding this issue and report its findings within a month. Without objection, it was so ordered.

38. POSSIBLE "SPEED HUMPS" ON SOUTHAMPTON DRIVE
(TAPE 6)

Supervisor McConnell stated that she had received numerous calls regarding the possibility of "speed humps" being provided on Southampton Drive. She said that if providing "speed humps" to help mitigate cut-through traffic is utilized in the Annandale District then citizens in the Springfield District are also very interested in utilizing this method.

Supervisor Bulova announced that an informational meeting is scheduled to brief citizens on plans to mitigate cut-through traffic in the Kings Park Subdivision. The meeting is scheduled as follows:

Wednesday

February 28, 1990 at 7:30 p.m.

Located at the Lake Braddock Secondary School

39. TRANSPORTATION TOWN MEETING IN THE SPRINGFIELD DISTRICT (TAPE 6)

Supervisor McConnell stated that a very informative Transportation Town Meeting had been held last week. She expressed her appreciation to the staff and members from the Virginia Department of Transportation (VDOT) for their participation in the meeting.

Supervisor McConnell said that there was a great deal of interest in the monorail and she asked unanimous consent that the Board direct staff to review this issue again and report its findings.

Following discussion, Supervisor Davis moved that the Board:

- Direct staff to invite Representatives from the Monorail Concept to make a presentation before the Transportation Advisory Commission; and
- Direct the Transportation Advisory Commission to report its findings to the Board.

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

40. EXTENDING THE LIFE OF LANDFILLS (TAPE 6)

Supervisor McConnell referred to an article in a paper entitled Environmental Management News, and an article regarding landfills. She said that garbage tossed into landfills before recycling and reuse became household words is ripe for the picking or rather digging. She said that at least four states are turning to recycling to expand their landfill capacities. She asked unanimous consent that the Board refer this article to the staff for review and comment. Without objection, it was so ordered.

41. VOLUNTEERISM WITHIN FAIRFAX COUNTY GOVERNMENT
(TAPE 6)

Supervisor Hanley stated that a report on Comprehensive Policy Development concerning volunteerism within Fairfax County Government was included in the Board Package for November 20, 1989. She also referred to a copy of a memorandum to the Deputy County Executives from Verdina L. Haywood, Deputy County Executive for Human Services, establishing a staff committee which will review the volunteer policy. She pointed out that the November 1989 Board item indicates that staff has designed a pilot project to integrate volunteers into critical needs areas. She asked unanimous consent that the Board direct staff to provide Board Members with information on the pilot project. Without objection, it was so ordered.

Supervisor Bulova stated that she had suggested utilizing volunteers to assist with the Gypsy Moth suppression effort this year and she had discovered that the individuals from other agencies were being utilized. She asked unanimous consent that the Board direct staff to review the issue of utilizing volunteers to assist with the Gypsy Moth suppression effort. Without objection, it was so ordered.

42. REGIONAL CONFERENCE ON GROWTH AND TRANSPORTATION
(TAPE 6)

Supervisor Hanley referred to the regional conference co-sponsored by the Metropolitan Washington Council of Governments (COG), Metropolitan Development Policy Committee and the Transportation Planning Board on growth and transportation. She said that each local government should have the opportunity to review and comment on the Growth Conference recommendations and to suggest any changes which may be appropriate for the proposed charter for the advisory commission on growth and transportation. She pointed out that the Board should respond with any recommendations by March 1, 1990 and thus this was the last opportunity to do so. Since some Board Members needed additional time to review the issue, it was deferred to later in the meeting.

Supervisor Hanley asked unanimous consent that the Board direct staff to review this issue and report its findings so that the Board could take action, if necessary later in the meeting. Without objection, it was so ordered.

(NOTE: Later in the meeting, there was additional further discussion regarding this item. See Clerk's Summary Item CL#74.)

43. REDUCTION OF REAL ESTATE TAXES VERSUS SURCHARGE
ON INCOME TAXES (TAPE 6)

Supervisor Richards pointed out that the residents in the Dranesville District have experienced greater increases in property values and assessments. She said that the local option income tax bill was not revised by the General Assembly. She added that this placed a great burden on older residents.

Supervisor Richards moved that the Board:

- Direct the Citizens' Budget Oversight Committee with the assistance of staff to review typical examples of a four-person household at different income levels, two-person households on retirement incomes; and
- Provide the Board with information regarding the impacts if the real estate tax were reduced and a surcharge on the income tax were substituted.

Following discussion, this motion was seconded by Supervisor Hyland and carried by a vote of eight, Chairman Moore being out of the room.

44. APPOINTMENT TO THE CITIZENS' BUDGET OVERVIEW COMMITTEE (CBOC) (TAPE 6)

(APPT)

Supervisor Richards moved the appointment of Mr. E. Patrick Coady as the Dranesville District Representative to the Citizens' Budget Overview Committee (CBOC). This motion was seconded by Supervisor Davis and carried by a vote of eight, Chairman Moore being out of the room.

45. SOVIET AMERICAN YOUTH SUMMIT (TAPE 6)

Supervisor Richards announced that two Fairfax County youths want to attend the Soviet American Summit and the representative from Herndon is Chrissy Stafford. She said that it would be very helpful if businesses and individuals contributed to the cost of the \$2800 (each) trip for the youths to attend the Summit.

46. UNDERGROUND UTILITIES IN THE MCLEAN CENTRAL BUSINESS DISTRICT (CBD) (TAPE 6)

Supervisor Richards stated that bond funds were going to be utilized for undergrounding utilities in the McLean Central Business District (CBD) but with the new cost estimates the \$2 million will be useable only for a part of the effort that is needed. She said that McLean Planning Committee has set the following priority:

- Starting at the intersection of Dolley Madison Boulevard and Old Dominion Drive, proceed towards the CBD and Old Dominion Drive to the intersection of Old Dominion Drive and Ingleside Avenue. This will be planning area Phase I;

- Starting at the intersection of Old Dominion Drive and Ingleside Avenue, proceeding towards the center of town to the intersection of Old Dominion Drive and Beverly Road. This will be planning area Phase II;
- Proceeding from the intersection of Old Dominion Drive and Beverly Road to the intersection of Old Dominion Drive and Chain Bridge Road. This will be planning Phase III;
- From the intersection of Old Dominion Drive and Chain Bridge Road, proceed south on Chain Bridge Road beyond the end of the Giant Shopping Center to the furthest edge of Ingleside Avenue. This will be planning Phase IV; and
- Proceeding from the intersection of Old Dominion Drive and Chain Bridge Road north to Dolley Madison, including the split of Chain Bridge Road and Old Chain Bridge Road to Dolley Madison. This would be planning area Phase V.

She said that it was the Planning Committee's desire to receive the planning area estimates from Virginia Power as they are completed so the Committee may begin its work because they want to help in the effort to get the necessary easements donated. Supervisor Richards pointed out that there will be no funds to acquire any of the property so the final decision as to where the funds might be used may depend on the willingness of the property owners to donate the easements.

Supervisor Richards asked unanimous consent that the Board direct staff to begin with the five phases as suggested by the McLean Planning Committee when addressing the estimates. Without objection, it was so ordered.

47. RESIDENTIAL PARKING PERMIT DISTRICT (RPPD)
(TAPE 6)

Supervisor Davis stated that residents in the Culmore area have submitted a petition and application for a Residential Parking Permit District (RPPD) on Freedom Place and sections of Vista and Glenmore around the Culmore Apartments. He said that this is an extension of an already established RPPD and they have requested a waiver of the application fee. Therefore, Supervisor Davis asked unanimous consent that the Board direct staff to review this issue and report its findings. Without objection, it was so ordered.

48. PROPOSED FELLOWSHIP (TAPE 6)

Supervisor Davis stated that at the February 14, 1990 meeting of the Environmental Quality Advisory Council (EQAC), Dr. Jack Heidiman of the Center for Innovative Technology presented a background on the functions of the CIT. Supervisor Davis said that Mr. Heidiman completed his comments with an offer of \$8,000 toward a \$15,000 fellowship or \$10,000 toward a \$20,000 fellowship. Supervisor Davis said that the purpose of the fellowships would be to search for means to immobilize the toxicants associated with the energy resource recovery ash. He said that chemically, physically or both could result in a benign marketable end product. Therefore, Supervisor Davis moved that the Board designate a liaison through the County Executive who has budgetary responsibilities to review the details of this proposed fellowship as expeditiously as possible. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Chairman Moore being out of the room.

49. COUNTY CHARTER (TAPE 6)

Supervisor Davis stated that he had previously requested staff to begin reviewing the possibility of establishing a County Charter that would reserve rights to Fairfax County that would not be taken away through Statewide legislation. He added that he had requested this item be ready to bring before the General Assembly at its next session. Therefore, Supervisor Davis asked unanimous consent that the Board direct staff to provide the Board with a status report regarding this issue. Without objection, it was so ordered.

50. COMPENSATION FOR BOARDS, AUTHORITIES AND COMMISSIONS (BACS) (TAPE 6)

(BACs)

Supervisor Davis distributed to Board Members a copy of a memorandum regarding compensation to Boards, Authorities and Commissions (BACs). Supervisor Davis moved that the Board:

- Increase the compensation of the Board of Equalization and the Board of Zoning Appeals from \$100 to \$125 per meeting;
- Redesignate the Fairfax County Wetlands Board to the Group I category in that it fully meets the established criteria. This will result in an increase in compensation from \$25 to \$60 per meeting;
- Provide no compensation to the Citizens' Budget Overview Committee (CBOC);

- Maintain the existing compensation structure for all remaining BACs along the following schedule:

<u>CATEGORY</u>	<u>MEETINGS/YEAR</u>	<u>COMPENSATION</u>
Group I	Unlimited	\$60/meeting
Group II	12	\$50/meeting
Group III	12	\$15/meeting
Group IV	Task Related	None
Group V	Unlimited	Variable

- Provide a waiver of the Group II guideline to permit the Human Services Council to be compensated for two meetings per month as has already been approved for the Transportation Advisory Commission; and
- Establish a policy which states that compensation shall be limited to only one meeting within any 24-hour period and that the compensation shall not be paid in the event of a cancelled meeting.

This motion was seconded by Supervisor Hanley.

Supervisor Hanley asked that the motion be amended to clarify that if an individual represents one group for which the individual is compensated and is appointed to serve on another group in the capacity of a representative of the first group, then the individual is not compensated twice. The individual would be compensated by the higher group, and this was accepted.

Supervisor Hyland expressed concern that the Transportation Advisory Commission and the Human Services Council were placed in Group II as opposed to Group I.

Supervisor Hyland noted that some groups were compensated on a monthly basis and others on a quarterly basis and he asked unanimous consent that the Board direct staff to determine if all groups can be compensated on a monthly basis. Without objection, it was so ordered.

Supervisor Hyland expressed concern that the CBOC is not compensated and suggested that the CBOC be compensated.

Supervisor Alexander stated that it was his opinion that there was no difference between the Athletic Council and the Tree Commission, however the Tree Commission was compensated at a higher rate.

Supervisor Bulova asked unanimous consent that the Board direct staff to report with information regarding when the compensation for the Tree Commission was raised from \$15/meeting to \$25/meeting. Without objection, it was so ordered.

Following further discussion, Supervisor Davis asked unanimous consent that the Board:

- Defer this item until March 12, 1990; and
- Direct staff to return the item in the form of a Consideration Item.

Without objection, it was so ordered.

Supervisor Hanley moved that the Board:

- Establish the policy which states that compensation shall be limited to only one meeting within any 24-hour period and that the compensation shall not be paid in the event of a cancelled meeting; and
- Direct staff to compensate those outstanding debts in conformance with this policy.

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

51. AFFORDABLE DWELLING UNIT (ADU) ORDINANCE (TAPE 6)

Supervisor Davis stated that the Affordable Dwelling Unit (ADU) Ordinance passed the House of Delegates 99-0, and it is before a committee in the Senate tomorrow. He said that there are a number of issues that have been raised by some members of the development community. He said that he talked with some of the committee members over the weekend and he stated that there are a couple of things the Board can do to clarify its intent on this item. He added that the Board does not have the legal authority to change the ordinance now that the legislature is in session, but one thing it can do is when a rezoning is filed that qualifies for this, it can simultaneously start processing, with no prejudice, the Site Plans and so on at the same time.

Following discussion, Supervisor Davis said that the individuals who file these plans are going to get delayed even more, which is going to end up costing the industry more money. He said that affordable housing is a very important priority for this County and he asked unanimous consent that the Board direct staff to review this issue. Without objection, it was so ordered.

Supervisor Davis asked unanimous consent that the Board direct staff to review criteria (which they can do at the same time they're reviewing the simultaneous processing on the rezonings) to ensure that the plans that are submitted under this ordinance are filed in a timely manner and pursued diligently, are given prompt attention. He said that one concern is that they are filed and they go into the black hole and sit there. He said that his office has checked out problems in the past, and sometimes it is the fault of the Department of Environmental Management (DEM), somebody being out. He said that many times it is the fault of the engineers and the applicant does not even know it. He said that it just hasn't been pursued diligently.

Supervisor Pennino expressed concern about giving priority to developers who are going to receive a benefit because the County is going to increase the density of their development. She said that what is needed is to clear up the problem in Site Plan review and expand the staff so that there are more people reviewing the Site Plans. She pointed out that they all funnel through one person and one person simply can't handle the work load.

Supervisor Davis moved that the Board direct staff to determine how to ensure a very prompt response to Site Plans and Subdivision Plans filed under the ADU, and get them back if they are diligently pursued, within a given period of time. This motion was seconded jointly by Supervisor Hanley and Supervisor Hyland and carried by unanimous vote.

Supervisor Davis stated that the last item that is being circulated on this bill is that this is impossible to do with high rise condominiums for a number of reasons. He stated that this issued has been reviewed very carefully. He said that there is a fail-safe provision in the ordinance whereby developers can provide alternate affordable housing amenities, such as cash contributions, land and other amenities, if it does not make sense economically to provide the additional units into affordable dwellings. He added that the economic viability of the whole project is being reviewed. He asked unanimous consent that the Board direct staff to develop appropriate guidelines, realizing that high rise residential construction is an area that deserves, in many cases, consideration for some of the alternatives. Without objection, it was so ordered.

DL:DL

52. ADMINISTRATIVE ITEMS (TAPE 7)

Supervisor Pennino moved approval of the Administrative Items. This motion was seconded by Supervisor Hanley.

In response to a query by Supervisor Pennino regarding Administrative Item 11, Supervisor Hanley responded that the proposed amendment updates the statistic concerning family car ownership which has not been updated since 1960.

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

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM
(LEE AND SPRINGFIELD DISTRICTS)

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated February 26, 1990 be recommended for acceptance into the State Secondary System, Lee and Springfield Districts.

ADMIN 2 - STREET NAME CHANGE OF WILKES LANE TO
TELEGRAPH CORNER LANE (LEE DISTRICT)

Approved the street name change from Wilkes Lane (Route 792) in the Official County Street Atlas IQ Telegraph Corner Lane, from its intersection with Telegraph Road to its intersection with Franconia Road, effective 60 days following Board approval in accordance with Section 102-1-9 of the Code of the County of Fairfax, Virginia, Lee District.

ADMIN 3 - INSTALLATION OF "NO PARKING" SIGNS ON
ANNANDALE CENTER DRIVE (MASON DISTRICT)

- (R) Adopted the Resolution prohibiting parking on the north side of Annandale Center Drive and within 30 feet of the driveways on the south side of Annandale Center Drive, from John Marr Drive to Columbia Pike; and directed staff to install and enforce the "NO PARKING" signs, Mason District.

ADMIN 4 - RENUMBERING OF STATE ROUTE 7607
(WEST OX ROAD) TO ROUTE 608 (CENTREVILLE
DISTRICT)

- (R) Adopted the Resolution concurring with the Virginia Department of Transportation (VDOT) proposal to renumber a portion of State Route 7607 (West Ox Road) located between Centreville Road (Route 657) and Copper Ridge Drive (Route 7605) IQ State Route 608, Centreville District.

ADMIN 5 - RENUMBERING OF STATE ROUTE 7969
(MONUMENT DRIVE) TO ROUTE 6751 (PROVIDENCE
DISTRICT)

- (R) Adopted the Resolution concurring with the Virginia Department of Transportation (VDOT) proposal to renumber a portion of State Route 7969 (Monument Drive) located between the centerline of West Ox Road (Route 608) and 0.24 miles west of West Ox Road IQ State Route 6751, Providence District.

ADMIN 6 - RENUMBERING OF STATE ROUTE 6729
(CABELL'S MILL DRIVE) TO ROUTE 970
(SPRINGFIELD DISTRICT)

- (R) Adopted the Resolution concurring with the Virginia Department of Transportation (VDOT) proposal to renumber a portion of State Route 6729 (Cabell's Mill Drive) located within Sections 2A and 2B of the Cabell's Mill Subdivision IQ State Route 970, Springfield District.

ADMIN 7 - RENUMBERING OF STATE ROUTE 7059
(SUNSET RIDGE ROAD) TO ROUTE 7785
(SPRINGFIELD DISTRICT)

- (R) Adopted the Resolution concurring with the Virginia Department of Transportation (VDOT) proposal to renumber a portion of State Route 7059 (Sunset Ridge Road) located between Little Rocky Run Circle (Route 7046) and 0.17 miles west of Little Rocky Run Circle IQ State Route 7785, Springfield District.

ADMIN 8 - AUTHORIZATION TO ADVERTISE CHANGE IN
POLLING PLACE OF BREN MAR PRECINCT (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on April 16, 1990 at 3:30 p.m. on the proposed temporary change of the polling place of Bren Mar Precinct, Bren Mar Park Elementary School, 6344 Beryl Road, Alexandria IQ Columbia Baptist Church at Bren Mar, 6200 Indian Run Parkway, Alexandria, Lee District.

ADMIN 9 - AUTHORIZATION TO ADVERTISE CHANGE IN
POLLING PLACE OF WOODYARD PRECINCT (SPRINGFIELD
DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on April 16, 1990 at 3:30 p.m. on the proposed change of the polling place of Woodyard Precinct, Cherry Run Elementary School, 9732 Ironmaster Drive, Burke IQ Silverbrook Elementary School, 9350 Crosspointe Drive, Fairfax Station, Springfield District.

ADMIN 10 - AUTHORIZATION TO ADVERTISE ESTABLISHMENT
OF AN ABSENTEE VOTING SATELLITE LOCATION
(SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on April 16, 1990 at 3:30 p.m. to establish an absentee voting satellite at the Centreville Branch Office in Springfield District, 5900 Centreville Road, Centreville, Centreville District.

ADMIN 11 - AUTHORIZATION TO ADVERTISE PUBLIC
HEARINGS ON PROPOSED AMENDMENTS TO THE PUBLIC
FACILITIES MANUAL

- (A) In response to a query by Supervisor Pennino, Supervisor Hanley responded that the proposed amendment updates the statistic concerning family car ownership which has not been updated since 1960.

Authorized the advertisement of a public hearing to be held before the Planning Commission on April 5, 1990 and before the Board of Supervisors on April 30, 1990 at 3:30 p.m. on proposed amendments to the Public Facilities Manual. These amendments address tot lot safety, update statistics and clarify various provisions.

ADMIN 12 - ADVERTISEMENT OF A PUBLIC HEARING ON
THE MOUNT ZEPHYR COMMUNITY PLAN (MOUNT VERNON
DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on March 26, 1990 at 4:00 p.m. on the Mount Zephyr Community Plan, Mount Vernon District.

ADMIN 13 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING ON THE ADOPTION OF THE GUM SPRINGS
REDEVELOPMENT PLAN AND AMENDMENT TO THE GUM
SPRINGS CONSERVATION PLAN (MOUNT VERNON
DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on April 16, 1990 at 3:30 p.m. on the proposed adoption of the Gum Springs Redevelopment Plan and an amendment to the Gum Springs Conservation Plan, Mount Vernon District.

ADMIN 14 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING ON AMENDMENTS TO THE CODE OF THE COUNTY
OF FAIRFAX, CHAPTER 62 (FIRE PROTECTION)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on March 26, 1990 at 5:00 p.m. on proposed amendments to the Code of the County of Fairfax, Chapter 62 (Fire Protection).

The Virginia Board of Housing and Community Development's regulatory changes to the Statewide Fire Prevention Code were made public December 20, 1989. The effective date of the new regulations was January 1, 1990. The new regulations which governed explosives and blasting agents seriously impacted the County Fire Marshal's ability to ensure that explosive materials were safely stored, transported and used in Fairfax County. The lack of lead time in the implementation of the State regulations precluded the development of local amendments prior to January 1, 1990 and necessitated the adoption of an emergency ordinance by the Board on January 29, 1990. The proposed amendments provide a standard which is comparable to the Code standard in place prior to January 1, 1990.

52A. A-1 - SPRING 1990 BOND SALE (TAPE 7)

(BONDS)

(Rs) On motion of Supervisor Pennino, seconded by Supervisor Hyland, and carried by a vote of eight, Supervisor Alexander being out of the room, the Board concurred in the recommendation of staff and approved the appropriate Resolutions to authorize a bond sale on March 14, 1990, for the purposes listed below:

<u>Purpose</u>	<u>Sale Amounts Required Through June 1990 (in millions)</u>
- School Improvements	\$ 56.750
- Primary and Secondary Roads (1985 Referendum)	21.005
- Parks and Park Facilities	12.895
- Human Services Facilities	.530
- Neighborhood Improvements	8.240
- Transportation Facilities (1988 Referendum)	19.940
- Commercial and Redevelopment Area Improvements	.180
- Library Facilities	.720
- Adult Detention Facilities	.840
- Juvenile Detention Facilities	.560
- Public Safety Facilities	<u>1.340</u>
TOTAL	<u>\$ 123.000</u>

Resolutions adopted:

- Authorizing the issuance of \$123,000,000 Public Improvement Bonds, Series 1990A, of Fairfax County, Virginia;

- Providing for the Sale of \$123,000,000 Public Improvement Bonds, Series 1990A, of Fairfax County, Virginia (Notice of Sale), the form of the Official Statement, and the Chairman's signature on the final Official Statement; and
- Providing for the printing of the Legal Opinion on the \$123,000,000 Public Improvement Bonds, Series 1990A, of Fairfax County, Virginia.

53. A-2 - SUPPLEMENTAL APPROPRIATION RESOLUTION
(SAR) AS 90037 FOR THE FIRE AND RESCUE
DEPARTMENT DISASTER ASSISTANCE GRANT
(TAPE 7)

- (SAR) Supervisor Hanley moved that the Board concur in the recommendation of staff and approve Supplemental Appropriation Resolution (SAR) AS 90037 in the amount of \$62,396 to appropriate United States (US) Office of Foreign Disaster Assistance (OFDA) funds for the Fire and Rescue Department to purchase operating and capital equipment used for technical rescue, e.g., cave-in underground, and/or confined-space rescue (there is no local cash match for this award). This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor Alexander being out of the room.

On behalf of the Board, Chairman Moore commended staff on their outstanding achievement. She announced that Fairfax County had been one of the only two places in the United States to be chosen by the US OFDA to qualify to provide assistance to other nations during disasters.

Supervisor Richards stated, for the record, that Fairfax County's activities, in providing assistance during disasters, are totally reimbursed.

54. A-3 - SUBMISSION OF APPLICATION FOR VIRGINIA
DEPARTMENT OF TRANSPORTATION (VDOT) PUBLIC
TRANSPORTATION INTERN AND APPRENTICE PROGRAM
(ALL DISTRICTS) (TAPE 7)

- (R) Supervisor Pennino moved that the Board concur in the recommendation of staff and adopt the Resolution authorizing the submittal of an application in the amount of \$24,143 to the Virginia Department of Transportation (VDOT) for the Public Transportation Intern and Apprentice Program for a 12-month period May, 1990 through May, 1991. The requested level of funding includes \$22,936 in State funds and requires a County cash match of \$1,207. Included in the grant application is 1.0 temporary grant position (Status G) at the S-15 level. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

Supervisor Richards referred to the documentation contained in the Memorandum to the Board dated February 26, 1990 entitled,

- "Anticipated Projects for Apprentice Support."

"Ridesharing/Marketing":

"Preparation of a Marketing Plan for Promotion of the Reston Transit Center/Timed Transfer System."

Supervisor Richards asked unanimous consent that the Board direct staff to determine whether a marketing plan for the Tysons Shuttle could be added to the list of "Anticipated Projects for Apprentice Support." Without objection, it was so ordered.

55. A-4 - VIRGINIA DEPARTMENT OF TRANSPORTATION
PROJECT: I-395/EDSALL ROAD RAMP MODIFICATIONS
(0395-029-102, C501) (LEE DISTRICT) (TAPE 7)

Supervisor Alexander moved that the Board concur in the recommendation of staff and endorse the designs plans for the modifications to the northbound on and off ramps at Interstate 395. [Design, land acquisition and construction by the Virginia Department of Transportation (VDOT)]. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Alexander commended the excellent cooperation between the staff from the County and VDOT on this project. He expressed his appreciation for their outstanding efforts.

56. A-5 - AMENDMENTS TO THE COUNTY'S CLASSIFICATION
AND COMPENSATION PLANS - PLANNING TECHNICIAN II
(TAPE 7)

Supervisor Pennino moved that the Board concur in the recommendation of staff and approve the amendments to the County's Classification and Compensation Plans necessary to establish the proposed new class of Planning Technician II, S-17 (\$25,438 - \$39,373) and to retitle the current Planning Technician, S-15 (\$23,214 - \$35,931) class to Planning Technician I, with no change in grade. This motion was seconded by Supervisor Alexander.

Supervisor Hanley called to the Board's attention the fact that the reclassification request for this position had been initiated by staff in 1987. She noted that it had taken approximately two and one-half years to bring the matter to the Board.

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

57. A-6 - AUTHORIZATION FOR CONDEMNATION OF SIDEWALK EASEMENTS NECESSARY FOR THE CONSTRUCTION OF MOUNT EAGLE ELEMENTARY SCHOOL SIDEWALK PROJECT (LEE DISTRICT) (TAPE 7)

- (R) On motion of Supervisor Alexander, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the Resolution authorizing the condemnation of sidewalk easements necessary for the construction of Mount Eagle Elementary School Sidewalk Project, Lee District.

58. A-7 - AUTHORIZATION FOR CONDEMNATION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF A SANITARY SEWER ON LOT 33, SECTION THREE, CENTREVILLE HILLS SUBDIVISION (SPRINGFIELD DISTRICT) (TAPE 7)

- (R) Supervisor McConnell moved that the Board concur in the recommendation of staff and adopt the Resolution authorizing the condemnation of certain land rights necessary for the construction of a sanitary sewer on Lot 33, Section 3, Centreville Hills Subdivision, Springfield District. This motion was seconded by Supervisor Alexander and carried by a recorded vote of eight, Chairman Moore voting "NAY."

For the record, Chairman Moore stated that, as a matter of practice, she does not support private purpose condemnations.

59. A-8 - CONTRACT AWARD - OLD GROVETON ELEMENTARY SCHOOL SITE PUBLIC/PRIVATE REDEVELOPMENT PROJECT (LEE DISTRICT) (TAPE 7)

Supervisor Alexander provided to Board Members a brief synopsis of the issues regarding this item. He moved that the Board concur in the recommendation of staff and:

- Designate the Partnership of Spaulding and Slye/Smoot Development Corporation as the development entity for the Old Groveton Elementary School Site Public/Private Redevelopment Project, Lee District;
- Approve the Memorandum of Understanding (MOU) between Spaulding and Slye/Smoot Development Corporation and the County of Fairfax contained in the Memorandum to the Board dated February 26, 1990;
- Authorize the County Executive to negotiate a Master Development Agreement pursuant to the general terms and conditions of the MOU;

- Direct staff to waive all applicable rezoning fees and to expedite all applicable rezoning and permit approval processes in connection with this project; and
- Finance the cost of this project including land acquisition and systems furniture using conventional privately placed financing.

This motion was seconded by Supervisor Hyland.

Supervisor Hyland commended the outstanding efforts of Supervisor Alexander on this matter. He noted that this excellent proposal will be very beneficial to the citizens in the southern portion of Fairfax County, in particular, along the Route 1 Corridor.

A discussion ensued among Board Members regarding the issue of tax exempt bond financing.

Supervisor Hyland stated that at the Board of Supervisors' meeting held on January 29, 1990, action had been taken to direct staff to determine the feasibility of relocating the old, small school in the Groveton Area to the Gum Springs Area Conservation District for use to accumulate information on Black History. He asked unanimous consent that the Board direct staff to provide an update on this request. Without objection, it was so ordered.

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

60. A-9 - APPROVAL OF THE FAIRFAX COUNTY REDEVELOPMENT
AND HOUSING AUTHORITY'S ACQUISITION OF 1.94 ACRES
FOR THE PROPOSED GEORGE MASON DEVELOPMENT (TAX MAP
NUMBER 57-4-001, PARCEL 7) (ANNANDALE DISTRICT)
(TAPE 7)

In response to a query by Supervisor Bulova, Walter D. Webdale, Director, Department of Housing and Community Development (HCD), responded that the property would remain undeveloped until the remaining parcels were acquired. He stated that once the parcels had been acquired, a 456 hearing would be conducted on the entire project, as well as required hearings on any individual parcels.

Following discussion, with additional input from Mr. Webdale regarding the 456 hearing, Supervisor Bulova moved that the Board concur in the recommendation of staff and:

- Waived its policy requiring a public hearing and approval under the Code of Virginia, Section 15.1-456 prior to approving the acquisition of land for assisted housing; and
- Approved the acquisition of Parcel 7, under the Code of Virginia, Section 36-19.2.

This motion was seconded by Supervisor Davis.

Supervisor Hanley referred to the material contained in the Memorandum to the Board dated February 26, 1990, Attachment B-1, handwritten Pages (e) and (f), "Implementation of Notice Procedures, Public Hearings, Etcetera, on Assisted Housing Projects to be Constructed or Acquired in Fairfax County." She asked unanimous consent that the Board direct staff, when submitting this information to the Board in the future, to include a better quality version in the Board Package, i.e., staff should retype the procedures for clarity. Without objection, it was so ordered.

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

61. A-10 - AUTHORIZATION TO INCREASE THE AMOUNT OF THE INTERIM LOAN FOR THE NORTHERN VIRGINIA HEALTH CENTER COMMISSION TO INCLUDE THE COST OF FURNISHINGS AND MOVEABLE EQUIPMENT FOR THE NURSING HOME (TAPE 7)

- (R) On motion of Supervisor Pennino, seconded by Supervisor Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted a Resolution increasing the amount by \$1,000,000 of the Interim Loan for the construction of the Northern Virginia Health Center Commission (NVHCC) nursing home, subject to the approval of the County Attorney's Office and County Bond Counsel.

62. I-1 - AMENDMENTS TO THE PERSONNEL REGULATIONS (TAPE 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 26, 1990 requesting final approval and authorization to incorporate into the Personnel Regulations the emergency amendments, approved by the Board on December 11, 1989, regarding merit increment date procedures and Fair Labor Standards Act (FLSA) provisions: Sections 4.3-3, 4.7-4, 4.9, 4.12, and 10.31-2.

The staff was directed administratively to proceed as proposed.

63. I-2 - PERSONAL PROPERTY ASSESSMENTS (TAPE 7)

(NOTE: At the Board of Supervisors' meeting held on January 22, 1990, staff was directed to review the uniform pricing guides which may more accurately reflect the retail value of a vehicle for assessment purposes. In addition, following the public hearing to receive citizen comment on January 29, 1990, staff was further directed to review Mr. Bert Eidem's vehicle assessment to ensure its accuracy.)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 26, 1990 responding to the Board's request for staff to review various issues regarding the accuracy of personal property assessments.

There was Board discussion on this issue, with input from Paul Smith, Supervisor of Assessments, regarding whether the National Automobile Dealers Association (NADA) values, as listed, are reflective of the actual value of vehicles.

Supervisor Richards asked unanimous consent that the Board direct staff to investigate whether it would be feasible to disseminate to County citizens, in the regular mailing of "Tax Facts," an explanation regarding the method used by the County for assessing vehicles for personal property tax and the vehicle values listed by NADA. Without objection it was so ordered.

64. I-3 - LIGHTING REQUEST FOR HAYCOCK ROAD AT
THE BRIDGE OVER INTERSTATE I-66
(DRANESVILLE DISTRICT) (TAPE 7)

(NOTE: At the Board of Supervisors' meeting held on November 20, 1989, staff was directed to evaluate the costs and benefits of lighting Haycock Road over Interstate I-66.)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 26, 1990 requesting authorization to proceed with the lighting request for Haycock Road at the bridge over Interstate I-66, Dranesville District.

Supervisor Richards expressed her appreciation to staff for bringing this item forward. She asked unanimous consent that the Board direct staff to ensure that shields are installed if the lighting intrudes on the residents in close proximity to the lights. Without objection this was so ordered.

The staff was directed administratively to proceed as proposed.

65. I-4 - AUTHORIZATION TO INCREASE THE CONSTRUCTION COST FOR THE LITTLE RIVER GLEN PROJECT (ANNANDALE DISTRICT) (TAPE 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 26, 1990 requesting authorization to use the \$275,000 to cover future change order requests for the construction of the Little River Glen Development, Project 003993, Annandale District, in Subfund 478 (Housing Assistance Program).

There was brief discussion on this issue.

The staff was directed administratively to proceed as proposed.

66. I-5 - CONTRACT AWARD - TRANSITIONAL HOUSING SERVICES FOR DEPARTMENT OF HUMAN DEVELOPMENT (TAPE 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 26, 1990 requesting authorization for the Purchasing Agent to negotiate and award a contract to Northern Virginia Family Service; Reston Interfaith, Incorporated; and United Community Ministries for transitional housing services for the Department of Human Development.

The staff was directed administratively to proceed as proposed.

67. I-6 - STATUS REPORT ON THE CHESAPEAKE BAY PRESERVATION AREA DESIGNATION AND MANAGEMENT REGULATIONS (TAPE 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 26, 1990:

- Presenting the status report on the Chesapeake Bay Preservation Area Designation and Management Regulations;
- Requesting authorization for staff to develop specific recommendations, in coordination with the Northern Virginia Planning District Commission and the Chesapeake Bay Local Assistance Department, for consideration by the public and the Board, for the adoption of Resource Protection Area boundaries that are coterminous with stream valley Environmental Quality Corridor boundaries; and

- Requesting authorization for staff to submit a letter to the Chesapeake Bay Local Assistance Department indicating that a work program for the implementation of the regulations cannot be developed and further progress cannot be achieved until better guidance on performance standards is received.

There was brief discussion on this issue.

The staff was directed administratively to proceed as proposed.

68. I-7 - CONTRACT AWARD - DEFERRED COMPENSATION
PLAN MANAGEMENT (TAPE 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 26, 1990 requesting authorization for the Purchasing Agent to award contracts to ICMA Retirement Corporation and T. Rowe Price Associates, Incorporated, for a deferred compensation management plan.

The staff was directed administratively to proceed as proposed.

69. I-8 - ENGINEERING CONTRACT AWARD TO
GREENHORNE AND O'MARA, INCORPORATED
FOR THE DESIGN OF THE LITTLE HUNTING
CREEK STORM DRAINAGE IMPROVEMENTS
(MOUNT VERNON DISTRICT) (TAPE 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 26, 1990 requesting authorization to award an engineering contract to Greenhorne and O'Mara, Incorporated, in the amount of \$139,909.65 for the design of Little Hunting Creek storm drainage improvements, Mount Vernon District.

The staff was directed administratively to proceed as proposed.

70. I-9 - ARCHITECTURAL CONTRACT AWARD TO
HERBERT COHEN AND ASSOCIATES FOR THE
STUDY OF THE MOUNT VERNON MENTAL
HEALTH CENTER (MOUNT VERNON
DISTRICT) (TAPE 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 26, 1990 requesting authorization to award an architectural contract negotiated with Herbert Cohen and Associates, Washington, D.C., in the amount of \$49,129 for the study of the Mount Vernon Mental Health Center, Mount Vernon District.

The staff was directed administratively to proceed as proposed.

71. I-10 - DONATION OF FURNITURE TO FAIRFAX
COUNTY FROM CONTEL FEDERAL SYSTEMS (TAPE 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 26, 1990 announcing that, as the result of an initiative undertaken by Supervisor McConnell, Contel Federal Systems has donated to Fairfax County 246 items of office furniture with an appropriate market value of \$52,000. Items included desks, chairs, file cabinets, tables, credenzas, and bookcases. Although the furniture is in excellent condition and of high quality, Contel could not utilize it for their new offices in the Dulles Corridor because the new facilities had been designed for systems furniture.

Board Members commended Supervisor McConnell for her outstanding efforts on this issue.

72. I-11 - CONTRACT AWARD - SLOPE STABILIZATION
AND PLANTING AT LAKE ACCOTINK PARK
(ANNANDALE DISTRICT) (TAPE 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 26, 1990 requesting authorization to award a contract to Fair Oaks Construction, Incorporated, of Herndon, Virginia, in the amount of \$118,640 for slope stabilization and planting at the Lake Accotink Park, Annandale District.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

73. BOARD DESIGNATION OF SUPERVISOR DAVIS TO ATTEND
COMMITTEE HEARING (TAPE 7)

Supervisor Hanley moved that the Board designate the Chairman of the Housing Subcommittee, Supervisor Davis, to speak before the Committee hearing scheduled for February 27, 1990 in Richmond. This motion was seconded by Supervisor Richards and carried by unanimous vote.

74. REGIONAL CONFERENCE ON GROWTH AND TRANSPORTATION
(TAPE 7)

(NOTE: Earlier in the meeting, this item was discussed. See Clerk's Summary Item CL#42.)

Supervisor Hanley stated that the Metropolitan Washington Council of Governments' (COG) Metropolitan Development Policy Committee has requested that all local government comments be submitted by March 1, 1990.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that Board Members review the letter from COG dated February 8, 1990 and submit comments or recommendations. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

75. RECESS/EXECUTIVE SESSION (TAPE 7)

At 1:35 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:

- Senate Bill Number 170; and
- House Bill Number 721.

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

At 3:45 p.m., the Board reconvened in the Board Room with all Members being present, and with Chairman Moore presiding.

76. ACTIONS FROM EXECUTIVE SESSION (TAPE 8)

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 Davis and carried by unanimous vote.

B. AUTHORIZATION OF FILING OF AN APPEAL IN THE
SUPREME COURT OF VIRGINIA IN THE CASE OF
CLEMENS VERSUS HYDER AT LAW NUMBER 88414

Supervisor Hyland moved that the Board of Supervisors authorize the filing of an appeal in the Supreme Court of Virginia in the case of Clemens V. Hyder, at Law Number 88414 as recommended by the County Attorney in Executive Session. This motion was seconded by Supervisor Davis and carried by unanimous vote.

C. PETERSON VERSUS THE COUNTY OF FAIRFAX
AT LAW NUMBER 82629 AND SERVICE CORPORATION
OF ALEXANDRIA VERSUS THE BOARD OF
SUPERVISORS AT LAW NUMBER 90485

Supervisor McConnell moved that the Board of Supervisors authorize settlement of Peterson versus County of Fairfax, at Law Number 82629 and Service Corporation of Alexandria versus the Board of Supervisors, at Law Number 90485 according to terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

(NOTE: Later in the meeting, there was an additional Action from Executive Session. See Clerk's Summary Item CL#840.)

77. 3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION
SE 89-C-078 (RESTON INTERFAITH INCORPORATED/
LAUREL LEARNING CENTER) (CENTREVILLE DISTRICT)
(TAPE 8)

Mr. William Grady reaffirmed the validity of the affidavit for the record.

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

- In the amount of \$99.00 from Mr. Robert Sproles of the law firm of Huntley, Nyce and Associates, in 1987.

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

- In an amount more than \$50.00 from Ms. Janet Howell (Member, Board of Directors, Reston Interfaith), in 1987.

Following the public hearing, which included testimony by one speaker, Supervisor Pennino moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander and Supervisor Davis being out of the room.

Supervisor Pennino moved approval of Special Exception Application SE 89-C-078 subject to the revised development conditions dated February 16, 1990. This motion was seconded by Supervisor Davis and carried by a vote of eight, Supervisor Alexander being out of the room.

78. 3:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT
APPLICATION SEA 76-C-152-2 (CHEVRON U.S.A.,
INCORPORATED) (CENTREVILLE DISTRICT) (TAPE 8)

Ms. Sarah Reifsnnyder reaffirmed the validity of the affidavit for the record.

Following the public hearing (testimony was not presented), Supervisor Pennino moved to waive the reading of staff and Planning Commission recommendations. This motion was seconded by Supervisor Davis and carried by a vote of seven, Supervisor Alexander and Supervisor McConnell being out of the room.

Supervisor Pennino moved:

- Approval of Special Exception Amendment Application SEA 76-C-152-2 subject to the revised development conditions dated February 12, 1990; and
- Waiver of the transitional screening and barrier requirements in favor of the landscaping shown on this Special Exception Amendment Plat.

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

79. 4:00 P.M. - PH ON PROPOSED AMENDMENTS
TO THE CODE OF THE COUNTY OF FAIRFAX,
CHAPTER 112 (ZONING ORDINANCE)
REGARDING INDUSTRIAL/FLEX USE
IN THE I-3 DISTRICT (TAPE 8)

- (0) 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 February 9 and February 16, 1990.

Following the public hearing (testimony was not presented), Supervisor McConnell moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), as recommended by staff, regarding Industrial/Flex Use in the I-3 District, with the editorial corrections set forth on Page Two of the Staff Report. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

SBE:SBE

80. 5:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT
APPLICATION SEA 81-V-070 (MOBIL OIL CORPORATION)
(MOUNT VERNON DISTRICT) (TAPE 8)

Supervisor Hyland stated his intent, at the appropriate time later in the meeting, to defer the public hearing on Special Exception Amendment Application SEA 81-V-070 until March 12, 1990 at request of applicant.

(NOTE: Later in the meeting, action was taken to defer the public hearing. See Clerk's Summary Item CL#87.)

81. 4:30 P.M. - PH ON REZONING APPLICATION
RZ 89-P-012 (DAKOTA DEVELOPMENT,
INCORPORATED) (PROVIDENCE DISTRICT)
(TAPE 8)

Supervisor Hanley stated her intent, at the appropriate time later in the meeting, to defer the public hearing on Rezoning Application RZ 89-P-012.

(NOTE: Later in the meeting, action was taken to defer the public hearing. See Clerk's Summary Item CL#85.)

82. RECESS/EXECUTIVE SESSION (TAPE 8)

At 4:05 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:

- Senate Bill Number 170; and
- House Bill Number 721.

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

At 5:10 p.m., the Board reconvened in the Board Room with all Members being present, and with Chairman Moore presiding.

ADDITIONAL BOARD MATTER

83. BOY SCOUT TROOP 1966 (TAPE 9)

Chairman Moore recognized the presence in the Board Room of Boy Scout Troop 1966 from Kings Park West and she warmly welcomed the Troop to the Board Room.

84. ADDITIONAL ACTION FROM EXECUTIVE SESSION
(TAPE 9)

(NOTE: Earlier in the meeting, there were additional Actions from Executive Session. See Clerk's Summary Item CL#76A, B, and C.)

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

SIITI

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 Pennino and carried by unanimous vote.

85. 4:30 P.M. - PH ON REZONING APPLICATION
RZ 89-P-012 (DAKOTA DEVELOPMENT.
INCORPORATED) (PROVIDENCE
DISTRICT) (TAPE 9)

Supervisor Hanley moved to defer the public hearing on Rezoning Application RZ 89-P-012 until April 16, 1990 at 5:00 p.m. This motion was jointly seconded by Supervisor Alexander and Supervisor Davis and carried by a unanimous vote.

Supervisor Bulova moved that the Board direct staff to schedule a special meeting of the Board of Supervisors to be held on April 9, 1990 to conduct public hearings on the various land use cases that have been deferred during the past several months.

Following Board discussion, Supervisor Bulova withdrew her motion.

86. 4:30 P.M. - PH ON REZONING APPLICATION
RZ 89-L-020 (LAYNE DEVELOPMENT
CORPORATION) (LEE DISTRICT) (TAPE 9)

Supervisor Alexander moved, with the agreement of the applicant, to defer the public hearing on Rezoning Application RZ 89-L-020 until April 16, 1990 at 5:00 p.m. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

87. 5:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT
APPLICATION SEA 81-V-070 (MOBIL OIL
CORPORATION) (MOUNT VERNON DISTRICT)
(TAPE 9)

Supervisor Hyland moved to defer the public hearing on Special Exception Amendment Application SEA 81-V-070 until March 26, 1990 at 4:00 p.m. This motion was seconded by Supervisor Davis and carried by a vote of eight, Supervisor Alexander being out of the room.

ADDITIONAL BOARD MATTER

88. AFFORDABLE DWELLING UNIT ORDINANCE (ADU)
(TAPE 9)

Supervisor Davis pointed out that he will be testifying before the Senate Committee considering the Affordable Dwelling Unit Ordinance (ADU). He stated that an amendment may be forthcoming, that will give the Board the authority to readdress the issue of high rise elevator condominium units, not being exempted from the ordinance, but ensuring that there is another option instead of the density credits, perhaps a land or cash contribution.

Supervisor Davis stated for the record the Board's willingness to review this issue at the appropriate time and consider the merits. Supervisor Davis moved that the sense of the Board is that this issue will be addressed at the appropriate time. This motion was seconded by Supervisor Pennino.

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

89. RECESS (TAPES 9-10)

At 5:20 p.m., the Board recessed briefly for dinner and, at 7:35 p.m., the reconvened in the Board Room with all Members being present, with the exception of Supervisor McConnell, and with Chairman Moore presiding.

ADDITIONAL BOARD MATTER

90. ACTIONS RELATED TO THE PLANNING PROCESS IN FAIRFAX
COUNTY RESULTING FROM ACTIONS TAKEN BY THE GENERAL
ASSEMBLY (TAPE 10)

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

Chairman Moore announced that it is necessary for the Board to take action related to the planning process in Fairfax County as a result of actions taken by the General Assembly.

J. Hamilton Lambert, County Executive, distributed to Board Members the staff recommendations for Board actions resulting from the General Assembly Legislation.

Supervisor Davis moved that the Board adopt the following staff recommendations regarding actions resulting from the General Assembly Legislation which restricts the Board's powers on development:

Board of Supervisors' Session set for the morning of March 26, 1990

- Planning Commission (PC) at the earliest opportunity to be invited.
- Board of Supervisors' Session -- March 26, 1990 Agenda:
 - A. Impact of SB 170 on Plan Phase I and any changes to Phase II process to include timing and changes in direction;
 - B. Impact of SB 170 on rezoning process in the 28 Corridor;
 - C. Impact of HB 721 on Phase I and any changes to Phase II process timing and changes in process;
 - D. Impact of HB 721 on rezoning process to include changes in the proffer process.
- Planning Director and County Attorney to meet with PC to discuss legislation and today's Board action.
- Rezoning policy between now and March 26, 1990
 - Board can proceed with special exception applications;
 - Board to move that all proffered rezoning applications and proffered condition amendment applications which do not have to be heard be deferred until April 16, 1990 at the earliest;

- Individual Board Members seek applicant deferral until April 16, 1990, of applications which require hearing. However, if the applicant does not agree to deferral, the application will be heard on its merits; and
- Leave to the PC the option of continuing or deferring hearings on proffered rezonings and proffered condition amendments between now and March 26, 1990. Exception would be applications which must be heard due to year expiration.

● Comprehensive Plan Review

- PC should proceed with mark-up of Planning Horizons Phase I, but should consider deferring final decision until after March 26, 1990; and
- Citizen Task Forces should continue to work on plans with no change in assumptions at least until March 26, 1990 with the understanding that the Board would provide guidance on Phase II.

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

91. 7:30 P.M. - PH TO RECEIVE CITIZEN COMMENT ON ISSUES OF CONCERN (TAPE 10)

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 February 9 and February 16, 1990.

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

The public hearing was held and included testimony by six speakers.

92. 7:30 P.M. - JOINT PUBLIC HEARING BETWEEN THE BOARD OF SUPERVISORS AND THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) ON THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROPOSED STATEMENT OF OBJECTIVES AND USE OF FUNDS FOR PROGRAM YEAR 16 (FY1991) AND HOUSING AND COMMUNITY DEVELOPMENT NEEDS (TAPES 11-13)

Chairman Moore announced that no action would be taken this evening regarding this matter. She noted that action on this matter would be taken later in the year.

The public hearing was held and included testimony by 39 speakers.

93. BOARD ADJOURNMENT (TAPE 13)

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