



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.

Board Package

Monday

March 12, 1990

6-90

AR:ar

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

Supervisor Alexander arrived at 9:50 a.m.

Supervisor McConnell was absent from the entire meeting.

Others present were J. Hamilton Lambert, County Executive; David T. Stitt, County Attorney; 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.

(NOTE: Theodore Austell, III, Executive Assistant to the County Executive, was absent from the entire meeting.)

2. EXECUTIVE SESSION (Tape 1)

Chairman Moore announced that the County Attorney had requested that the Board meet in Executive Session prior to his scheduled appearance in court later in the day at 10:00 a.m.

Supervisor Hyland moved that the Board go into the Executive Session for consultation and legal counsel pertaining to action and probable litigation and specific legal matters requiring the provision of legal advice by counsel pursuant to:

- Virginia Code Section 2.1-344(a)7, regarding Route 1 South Associates, LP, versus Board of Supervisors of Fairfax County, Virginia, and Irving Birmingham, Director, Department of Environmental Management, in Chancery Number 114340 and related litigation.

This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Alexander not yet having arrived, Supervisor McConnell being absent.

At 9:40 a.m., the Board reconvened in the Board Room with all Members being present, with the exception of Supervisor Alexander, Supervisor Richards, and Supervisor McConnell, and with Chairman Moore presiding.

3. ACTIONS FROM EXECUTIVE SESSION (TAPE 1)

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 a vote of six, Supervisor Richards being out of the room, Supervisor Alexander not yet having arrived, Supervisor McConnell being absent.

(NOTE: Later in the meeting, there were additional items from Executive Session. See Clerk's Summary Item CL#81.)

4. ABSENCE OF SUPERVISOR ELAINE MCCONNELL,
SPRINGFIELD DISTRICT (TAPE 1)

Chairman Moore announced that Supervisor Elaine McConnell, Springfield District, would be absent from the entire meeting today because of illness.

5. PROCLAMATION DESIGNATING "CENSUS DAY" (TAPE 1)

Supervisor Hyland moved approval of the presentation of the Proclamation, presented to the following members of the 1990 Census Complete Count Committee, present in the Board Room, proclaiming Sunday, April 1, 1990 as "CENSUS DAY" in Fairfax County, and encouraging all County residents to complete and return Census questionnaires by no later than "CENSUS DAY," April 1, 1990:

- Gloria Starr, Mason District
 Representative;
- Arthur Friedburg, Mount Vernon District
 Representative;
- Marta Wyatt, Spanish Speaking Community
 Representative;

- Sally Todd, Federation of Teachers Association Representative;
- Sharifa Alkhateeb, All Dulles Area Muslim Society Representative; and
- Julia Treagy, Annandale Christian Community for Action Representative.

This motion was seconded by Supervisor Davis and carried by a vote of six, Supervisor Richards being out of the room, Supervisor Alexander not yet having arrived, and Supervisor McConnell being absent.

6. WELCOME TO STUDENTS FROM SIDNEY LANIER INTERMEDIATE SCHOOL (TAPE 1)

Supervisor Richards welcomed students from Sidney Lanier Intermediate School and their teacher, Ms. Jean Stevenson, to the Board Room. In addition, Supervisor Richards noted that her nephew, Brandon Richards, was among the visiting students.

7. RESOLUTION CONGRATULATING THE FEDERATION OF CITIZENS ASSOCIATIONS (TAPE 1)

Supervisor Pennino moved approval of the presentation of the Resolution, presented to Judi Booe, President, congratulating The Federation of Citizens Associations on 50 years of dedicated service to the citizens and commending its genuine concern for the well-being of Fairfax County. This motion was seconded by Supervisor Davis and carried by a vote of eight, Supervisor McConnell being absent.

8. PROCLAMATION DESIGNATING "EMPLOY THE OLDER WORKER WEEK" (TAPES 1-2)

Supervisor Pennino moved approval of the presentation of the Proclamation, presented to Craig Crenshaw and Mary Bennett, representing the Commission on Aging Employment Committee; Betty Crenshaw and Paul Naughton, representing Trainees, Seniors in Training Employment Program; and Cornelius J. O'Kane, Director, Office of Personnel, proclaiming March 11 through March 17, 1990 as "EMPLOY THE OLDER WORKER WEEK" in Fairfax County, and encouraging public and private employers to provide beneficial employment to older adults in the community. This motion was seconded by Supervisor Davis and carried by a vote of eight, Supervisor McConnell being absent.

9. 10:00 A.M. - PRESENTATION OF NEW TOURISM VIDEOTAPE AND 1988 VIRGINIA TRAVEL STATISTICS (TAPES 2-3)

The following Representatives presented to Board Members the New Tourism Videotape and the 1988 Virginia Travel Statistics:

- Economic Development Authority Commission:
John E. Lynch, Commissioner;
James P. Popino, Commissioner; and
Patricia M. Woolsey, Commissioner.

- Fairfax County History Commission:

Mayo Stuntz, Historian.

- Virginia Restaurant Association:

Jim Wordsworth, President.

Following an introduction of the tourism videotape by Arnie Quirion, General Manager, McLean Hilton Hotel, Chairman Moore expressed the Board's appreciation for all of the outstanding efforts involved in bringing tourism to Fairfax County.

10. 10:15 A.M. - PRESENTATION BY PAUL TISCHLER OF TISCHLER & ASSOCIATES, INCORPORATED, FISCAL, ECONOMIC AND PLANNING CONSULTANT ON THE REPORT, "FISCAL IMPACT ANALYSIS OF ALTERNATIVE DEVELOPMENT CONCEPTS, FAIRFAX COUNTY, VIRGINIA" (TAPES 3-4)

Paul Tischler, President and Fiscal, Economic and Planning Consultant, Tischler and Associates, Incorporated, presented to Board Members the report entitled, "Fiscal Impact Analysis of Alternative Development Concepts, Fairfax County, Virginia."

Following a lengthy discussion, with additional input from James P. Zook, Director, Office of Comprehensive Planning, Supervisor Richards asked unanimous consent that the Board direct staff to prepare a copy of the videotape of Mr. Tischler's presentation and the ensuing discussion for Supervisor McConnell since she could not be present today. Without objection, it was so ordered.

BOARD MATTERS

VLL:VLL

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

(APPT)

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and, at the request of Sheila Coates, Representative, Black Women United for Action (BWUA), moved that the Board:

- Expand the composition of the 1990 Complete Count Census Committee to include representation by BWUA; and
- Confirm the appointment of Ms. Lois Reid as the BWUA Representative on the 1990 Complete Count Census Committee.

This motion was seconded by Supervisor Davis and carried by a vote of eight, Supervisor McConnell being absent.

Supervisor Richards stated that the Asian community had been requested to provide representation on the 1990 Complete Count Census Committee, however, to date, representatives had not been located. She asked unanimous consent that the Board direct staff to continue to assist the Asian community in locating representatives to serve on this committee. Without objection, it was so ordered.

12. INTERNATIONAL FOOD BANQUETS AND SALES AT PUBLIC SCHOOLS (TAPE 4)

Supervisor Moore stated that her office had received many complaints regarding the threat to international food banquets and sales at public schools. She stated that these events enable the school community to celebrate diversity, foster understanding, and raise needed funds. She asked unanimous consent that the Board direct staff to review the law to determine whether there is any way that the school community can be permitted to continue these types of banquets and fund raisers.

Supervisor Davis called to the Board's attention the Commonwealth of Virginia State Board of Health Regulations, Section 2.7(b):

- "....That the governing body of any county, city or town may provide by ordinance that these regulations shall not apply to food booths at fairs, youth athletic activities, that such booths are promoted or sponsored by any political subdivision or by any charitable non-profit group. The ordinance shall provide that the director of the county, city or town in which the fair and youth athletic activities are held or a qualified person shall exercise supervision...."

Supervisor Davis asked that the request be amended to include that the Board direct staff to report to the Board later in the meeting with an appropriate amendment, for adoption on an emergency basis, to allow the school community to continue with these types of banquets.

Supervisor Hanley informed Board Members that the Health Care Advisory Board (HCAB) has this issue on its agenda for discussion at its meeting scheduled for later this evening.

Following discussion, Vice-Chairman Pennino relinquished the Chair to Acting-Chairman Alexander and asked that the request be amended to direct staff to place this issue on the agenda for discussion later in the meeting during Executive Session. Without objection, the amended request was so ordered.

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

[NOTE: Later in the meeting, Chapter 43 (Food and Food Services Establishments) was added to the Executive Session agenda, however, there was no action taken on this issue.]

13. REQUEST FOR FUNDING FOR PROGRAM TO PREVENT
FAMILIES FROM BECOMING HOMELESS AND TO
RESETTLE OTHER FAMILIES (TAPE 4)

Supervisor Moore stated that the Fairfax-Falls Church Community Services Board has submitted a request for Community Development Block Grant (CDBG) funds for a program to prevent families from becoming homeless and to resettle other families in need. She stated that the program has yet to receive recommendations for funding and she asked unanimous consent that the Board direct staff to again review this request to determine whether there is some way to accommodate the program.

Following discussion, Supervisor Hanley asked that the request be amended to include that the Board also direct staff to review whether this program could be included in the Third Quarter Review for funding from some additional source, and this was accepted.

Supervisor Moore accepted the amendment with the clarification that staff again review the program and report with recommendations.

Without objection, the amended request was so ordered.

14. FAIRFAX COUNTY LAND ACQUISITION PROCEDURES
(TAPE 4)

(VERBATIM)
(BACs)

Supervisor Moore referred to recent discussions regarding land acquisition procedures in Fairfax County. She stated that it is her understanding that the County Executive has requested the County Attorney to review this issue and report his findings. She moved that the Board:

- Establish a Board Subcommittee to assist the County Attorney in his review;
- Appoint Supervisor Davis and Supervisor Hyland to serve on this Subcommittee to work with the County Attorney; and
- Direct the Subcommittee to report to the Board with recommendations on what process should be established for land acquisition in Fairfax County (it was clarified that this may not necessarily imply a change to the current process).

This motion was seconded by Supervisor Bulova.

Vice-Chairman Pennino stated that it is her opinion that there is nothing wrong with the present process for land acquisition, that the County Executive and his staff negotiate for the acquisition of land at the best price for which the land can possibly be obtained. She stated that the issue that has been raised deals with the fact that at the time that the public and the Board become aware that the land has been acquired, there has been no public notice. She suggested that the Subcommittee review a procedure whereby when the acquisition is at the point where it would be consummated, that an announcement be placed in the agenda, as a matter of information, that this acquisition is about to take place, i.e., in the same manner as contract awards are presented to the Board in the Board Package in the form of Information Items.

Supervisor Richards stated that she would support Vice-Chairman Pennino's request only if the announcement occurs after the contract has been signed and the price negotiated.

In response to recent press reports regarding land acquisition in Fairfax County, Vice-Chairman Pennino stated, for the record, that the entire Board has complete confidence in the County Executive's ability in these matters.

Supervisor Moore clarified that there has been some misunderstanding in the press regarding the County Executive's and Board's roles in the land acquisition process. For the record, Supervisor Moore stated the following process currently used by Fairfax County:

- When acquiring easements for sidewalks and sanitary sewers, etcetera, those items are placed in the budget and staff from the Land Acquisition Division, Department of Public Works, proceed to acquire the necessary property, and unless condemnation authority is needed, the issue does not come before the Board for action because it was previously authorized by the Board during the budget process;
- With regard to transportation issues, i.e., the State allows the Board to acquire right-of-way (ROW). The Board designates the amount of money to be used for the transportation road and staff reports to the Board for "quick-take" authority on the ROW and the necessary parcels; and

- When acquiring large parcels of land, staff reports to the County Executive with recommendations. The County Executive or his staff discusses the proposed acquisition and its purpose with the individual Board Member in more detail. Following this discussion, whether there is agreement or disagreement, the County Executive then discusses the matter with the entire Board in Executive Session.

Supervisor Moore stated that recent articles in the press report that the County Executive is on his own, buying property without the Board's knowledge and she questioned Board Members whether the procedure she stated above had been accurate.

Board Members stated that those were the procedures utilized in their Districts regarding land acquisitions.

Following further discussion, Supervisor Alexander moved a substitute motion that the Board:

- Reinforce its present procedure regarding land acquisition in Fairfax County;
- Go on record that the Board is satisfied with the present process regarding land acquisition in Fairfax County; and
- **NOT** establish a Board Subcommittee with the County Attorney to review the current process.

Following further discussion, Supervisor Hanley moved that the Board table both the motion and the substitute motion and direct the County Executive to provide to Board Members the current land acquisition procedure (in his view) and any recommendations that he may have for change. This motion was seconded by Supervisor Richards and **FAILED** by a recorded vote of five, Supervisor Hanley, Supervisor Richards, and Vice-Chairman Pennino voting "AYE," Supervisor McConnell being absent.

Supervisor Alexander withdrew his substitute motion, however, he stated, for the record, that he is satisfied with the current process used for land acquisition.

Following discussion, Supervisor Hanley noted that a two person Board Subcommittee was not subject to public review.

Board Members stated that there would not be a problem opening the Subcommittee for public review with the understanding that specific land acquisition issues (currently pending) would not be a subject of discussion.

The question was called on the main motion (Supervisor Moore) which carried by a vote of eight, Supervisor McConnell being absent. The main motion is restated below for clarity:

- Establish a Board Subcommittee to assist the County Attorney in his review;
- Appoint Supervisor Davis and Supervisor Hyland to serve on this Subcommittee to work with the County Attorney (This Subcommittee is open for public review); and
- Direct the Subcommittee to report to the Board with recommendations on what process should be established for land acquisition in Fairfax County (it was clarified that this may not necessarily imply a change to the current process).

15. REVENUE PROJECTIONS AND ASSUMPTIONS
(BUDGET) AND ADMIN 7 - AUTHORIZATION
TO ADVERTISE PUBLICATION OF FISCAL
YEAR (FY) 1991 BUDGET (TAPES 4-5)

(As) Supervisor Moore distributed to Board Members the following documents regarding revenue projections and assumptions (five-year) regarding the Fiscal Year (FY) 1991 Advertised Budget Plan. The documents are titled:

- "Summary of Combined General Fund Receipts"; and
- "Five-Year Financial Forecast for Combined General Fund - FY 1991 Advertised Budget Plan".

Following discussion, Supervisor Moore asked unanimous consent that the Board request James P. McDonald, Deputy County Executive for Management and Budget, to briefly comment on these projections and assumptions. Without objection, it was so ordered.

Following comments by Dr. McDonald, a brief question-and-answer period ensued.

Supervisor Bulova stated that the issues regarding revenue projections and assumptions would be added to the Board's Budget Subcommittee's agenda for discussion. She announced that a Subcommittee meeting date has yet to be set, however, she requested Board Members to contact her with any additional items they would like to place on the agenda for discussion.

Supervisor Moore recalled the commitment made by the Board last year to increase the spending for the average real estate homeowner by no more than 5.9 percent or the rate of inflation. In keeping with that commitment, Supervisor Moore moved that the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on April 16, 17, and 18, 1990 (respectively) at 7:30 p.m. on the Fiscal Year (FY) 1991 Budget. Staff was authorized to advertise the following:

- A real estate tax rate of no greater than \$1.14 per \$100 of assessed value for FY 1991;
- A brief synopsis of the FY 1991 Budget; and
- A notice of the proposed adoption of a Resolution appropriating funds for FY 1991.

(It is noted that these actions will not constrain the Board in lowering the tax rate further.)

This motion was seconded by Supervisor Hyland.

Supervisor Alexander moved a substitute motion that the Board concur in the recommendation of staff and authorize the advertisement of a public hearing to be held before the Board of Supervisors on April 16, 17, and 18, 1990 (respectively) at 7:30 p.m. on the Fiscal Year (FY) 1991 Budget. Staff was authorized to advertise the following:

- A real estate tax rate of \$1.19 per \$100 of assessed value for FY 1991;
- A brief synopsis of the FY 1991 Budget; and
- A notice of the proposed adoption of a Resolution appropriating funds for FY 1991.

For the record, Supervisor Alexander clarified that he was in support of the commitment made by the Board last year, however, without reviewing the entire budget documentation and without proceeding with the public hearing process, he could not support Supervisor Moore's motion.

The substitute motion was seconded by Supervisor Hanley for purposes of discussion.

In response to a query by Supervisor Hanley, Dr. McDonald responded that, to his knowledge, Fairfax County has never advertised a tax rate lower than the existing tax rate before the completion of the budget process.

Following discussion regarding the public hearing stage of the process, the question was called on the substitute motion (Supervisor Alexander's - real estate tax rate of \$1.19 per \$100 of assessed value for FY 1991) which failed by a recorded vote of four, Supervisor Alexander, Supervisor Hanley, Supervisor Richards, and Vice-Chairman Pennino voting, "AYE," Supervisor McConnell being absent.

For the purpose of clarity, the main motion (Supervisor Moore's) was restated: That the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on April 16, 17, and 18, 1990 (respectively) at 7:30 p.m. on the Fiscal Year (FY) 1991 Budget. Staff was authorized to advertise the following:

- A real estate tax rate of no greater than \$1.14 per \$100 of assessed value for FY 1991;
- A brief synopsis of the FY 1991 Budget; and
- A notice of the proposed adoption of a Resolution appropriating funds for FY 1991.

(It is noted that these actions will not constrain the Board in lowering the tax rate further.)

Supervisor Hanley referred to a Memorandum dated April 7, 1989, that had been discussed at the Board's Budget Subcommittee meeting last year regarding consumer utility taxes. She stated that the "average real estate tax increase" is an average increase only and the County is not able to tax commercial at a different rate than residential.

In order to preserve the Board's flexibility and to give the County additional sources of revenue, Supervisor Hanley moved to amend the motion to include that the Board direct staff to advertise an additional issue for public hearing before the Board of Supervisors on April 16, 17, and 18, 1990 (respectively) at 7:30 p.m. on the Fiscal Year (FY) 1991 Budget:

- To raise the limit and the rate for the commercial utility tax on gas and electric to the maximum amount allowed by the State with the understanding that the Board may choose not to go to the maximum limit.

This motion was seconded jointly by Supervisor Bulova and Supervisor Richards.

Following further discussion, the question was called on the amendment to the motion (Supervisor Hanley's) which carried by a recorded vote of five, Supervisor Davis, Supervisor Hyland, and Supervisor Moore voting "NAY," Supervisor McConnell being absent.

Supervisor Davis asked unanimous consent that a seriatim vote be taken on the amendment and the main motion, however, the County Attorney opined that action had already been taken on the amendment which is now part of the main motion. He stated that a seriatim vote could not be taken at this point.

Supervisor Davis stated that he would support the main motion (Supervisor Moore's), however, for the record, he stated his objection to the amendment to the motion.

The question was called on the main motion, and as amended, carried by a recorded vote of eight, Supervisor McConnell being absent. The main motion, as amended, is restated for clarity: That the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on April 16, 17, and 18, 1990 (respectively) at 7:30 p.m. on the Fiscal Year (FY) 1991 Budget. Staff was authorized to advertise the following:

- A real estate tax rate of no greater than \$1.14 per \$100 of assessed value for FY 1991;
- A brief synopsis of the FY 1991 Budget;
- A notice of the proposed adoption of a Resolution appropriating funds for FY 1991; and
- A proposal to raise the limit and the rate for the commercial utility tax on gas and electric to the maximum amount allowed by the State with the understanding that the Board may choose not to go to the maximum limit.

(It is noted that these actions will not constrain the Board in lowering the tax rate further.)

PMH:PMH

16. AUTHORIZATION FOR ADVERTISEMENT OF A PUBLIC HEARING FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 78-D-098 (TAPE 5)

Supervisor Richards moved that the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on April 17, 1990 at 4:00 p.m. regarding Special Exception Amendment Application SEA 78-D-098 for a recycling and drop-off center at the National Wildlife Federation. This motion was seconded by Supervisor Davis and carried by a vote of seven, Chairman Moore being out of the room, Supervisor McConnell being absent.

17. ARRIVAL OF THE "BLACKBIRD" (TAPE 5)

Supervisor Richards stated that she had attended the ceremony celebrating the arrival of the "Blackbird" at Dulles International Airport. She said that the aircraft was parked on the tarmac in front of the tower. She stated that the "Blackbird" was a very impressive aircraft and she urged all Board Members to view the craft before its departure from Dulles International Airport.

18. TYSONS STATION FOR RAIL OR BUS TRANSFER (TAPE 5)

Supervisor Richards stated that rail station sites in the Dulles Corridor identified in the Peat Marwick Main and Company study are an endangered species and the Board should do everything possible to preserve these sites for future use by bus or rail.

Therefore, Supervisor Richards moved that the Board direct staff to take all necessary actions to preserve the rail destination station site on Jones Branch Drive at Spring Hill Road, including the transfer of density credits. This motion was seconded by Supervisor Davis and carried by a vote of six, Supervisor Hanley and Chairman Moore being out of the room, Supervisor McConnell being absent.

19. LITTLE PIMMIT RUN STORM DRAINAGE PROJECT (TAPE 5)

Supervisor Richards stated that the plans for the Little Pimmit Run Storm Drainage Project, the top priority storm drainage project in Dranesville, have now reached the Department of Environmental Management (DEM). She added that in one season, 15 trees were lost along with the accompanying severe loss of land due to erosion. She said that it is of the utmost concern that this project not only come to construction this year, but also be completed before the winter. Supervisor Richards moved that the Board direct DEM to process these plans expeditiously. This motion was seconded by Supervisor Davis and carried by a vote of seven, Chairman Moore being out of the room, Supervisor McConnell being absent.

20. USER FEES: SCHOOL-AGE CHILD CARE (SACC)
(TAPE 5)

Supervisor Richards said that several constituents have questioned the fee scale for the School-Age Child Care (SACC) Program. She added that their concern is that, given the inflation over time in the County's income level, it might be necessary to reconsider the policy of capping the fee schedule at half the median income Countywide.

Supervisor Richards stated that the program was originally targeted at families with special needs, but has been expanded or will be expanded, throughout the County. She said that the current cap of half the median family income is approximately \$32,000. She explained that this means that a family making \$65,000 pays the same fee as one making \$32,000.

Therefore, Supervisor Richards asked unanimous consent that the Board direct staff to report to the Board with an:

- Explanation as to why and when the cap was set at half the County median income; and
- Explanation as to the possible consequences, positive and negative, of broadening the fee schedule.

Without objection, it was so ordered.

21. EXPANSION OF THE BOARD'S JOINT SUBCOMMITTEE
WITH THE PARK AUTHORITY REVIEWING THE
POSSIBLE CONSOLIDATION OF VARIOUS
FUNCTIONS (TAPE 5)

(BACs)

Supervisor Richards 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. Because a majority of recreation and community services activities occur at School Board facilities, Supervisor Richards moved that the Board expand the Subcommittee to include representation from the School Board to evaluate the merger of parks, recreation, and community services. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Chairman Moore being out of the room, Supervisor McConnell being absent.

22. STREET LIGHTS AT LEWINSVILLE ROAD AND WINDY HILL
ROAD (TAPE 5)

Supervisor Richards stated that since Lewinsville Road, from Windy Hill Road to Route 123, was widened several years ago, there has been a

constant effort to improve this stretch of roadway to make it as safe as possible. Supervisor Richards asked unanimous consent that the Board direct staff to investigate the possibility of installing street lights at the intersection of Windy Hill and Lewinsville Road.

Supervisor Richards said that normally this is accomplished through a petition process, however, there is not a neighborhood along this stretch of the road and she felt that it is in the County's interest to review the situation for safety reasons.

Without objection, it was so ordered.

23. TREE SURVEYS (TAPE 5)

Supervisor Richards stated that it has been the experience of her office on several occasions that public improvement projects designed by the County did not conform to the same County requirements for private developers in terms of having an accurate tree survey. She said that this information is vital if the County is to succeed in accomplishing these projects, and it is of the utmost concern to property owners. Therefore, Supervisor Richards moved that all public improvement plans include tree surveys that:

- Are to scale;
- All trees, two-inches in diameter or greater, measured six-inches from the ground (as per the Public Facilities Manual), are identified on the plans;
- All trees, two-inches in diameter or greater, measured six-inches from the ground, are labeled as to size and type;
- Report on ways to institute a policy that would ensure that no public meetings take place before the County Arborist has had the opportunity to meet first with the design engineers and review the plans; and
- Include the same County Arborist as well as the design engineers in all meetings with the property owners.

This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Pennino and Chairman Moore being out of the room, Supervisor McConnell being absent.

24. FAIRFAX COUNTY ROAD MAINTENANCE AND IMPROVEMENT PROGRAM (FCRMIP) (TAPE 5)

Supervisor Richards stated that in December of 1979, residents along Hilldon Street and Forest Lane petitioned the County to be included in the Fairfax County Road Maintenance and Improvement Program (FCRMIP). She said that Hilldon Street is a publicly dedicated road that was never accepted by the County or State. She said that when the petition was submitted, it was requested by the citizens that the road be maintained as a gravel road. She added that this road has been receiving emergency maintenance on an interim basis since then, while it was being considered for the program. She noted that 11 years has elapsed since the first of two petitions was submitted. Supervisor Richards moved that the Board:

- Accept this road permanently into the FCRMIP; and
- Waive the adopted Virginia Department of Transportation (VDOT) right-of-way standards, thereby ensuring that the County will continue to maintain this road.

This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Pennino and Chairman Moore being out of the room, Supervisor McConnell being absent.

25. MINORITY SET ASIDES (TAPE 5)

Supervisor Richards referred to the City of Richmond versus Croson case, as it was decided by the United States (U.S.) Supreme Court, and stated that it requires that Minority Business Enterprise (MBE) contracting programs document the history of discrimination on which such programs are based.

Supervisor Richards stated that in connection with the U.S. Department of Transportation and Related Agencies Appropriations Bill FY90, the U.S. House Committee on Appropriations recommended that a substantial sum be made available to local transit authorities through matching grants to fund studies documenting any history of discrimination that gave rise to MBE contracting programs.

Supervisor Richards asked unanimous consent that the Board direct staff to review this issue and:

- Report on the implications this case has had or will have for County minority contracting efforts; and

- Possible impacts, if any, on the County budget.

Without objection, it was so ordered.

26. ACCESS TO STORMWATER DETENTION PONDS (TAPE 5)

Supervisor Richards stated that the Department of Public Works (DPW) maintains a number of Stormwater Management Ponds throughout the County. She said that each of these ponds is required to have an all weather access installed by the developer at the time of bond release so that the County can assume property maintenance of these ponds. She added that currently, the Public Facilities Manual (PFM) requires the developer to construct either an asphalt or gravel road to serve as an all weather access to these ponds. She said that although it is not presently required by the PFM, the County will accept an access road constructed of an approved subsurface stabilization system where the slope of the access is less than five percent. She further stated that one type of approved system is a hard plastic grid network which allows grass to grow on top of it while providing adequate support for maintenance vehicles. She said that this gives the appearance of being part of the homeowner's lawn and is much more aesthetically pleasing instead of an unsightly road. Therefore, Supervisor Richards moved that the Board direct staff to review the possibility of amending the PFM so that such a system could be required as access to these detention ponds when the ingress/egress easements are less than a five percent grade. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Pennino and Chairman Moore being out of the room, Supervisor McConnell being absent.

27. WELCOME BACK IRVING BIRMINGHAM, DIRECTOR,
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
(DEM) (TAPE 5)

Supervisor Hyland recognized the presence in the Board Room of Irving Birmingham, Director, Department of Environmental Management (DEM). Supervisor Hyland warmly welcomed him to the Board Room following his recent illness.

28. FUTURE FUNCTIONS OF THE COUNTY'S GROUP RESIDENTIAL
FACILITIES COMMISSION (TAPE 5)

Supervisor Hyland stated that recently, John Byers, Chairman of the Group Residential Facilities Commission (GRFC), submitted a memorandum to the Board of Supervisors which raises some concerns about the "role" (if any) of the GRFC, some alternative functions they may perform and some suggestions to the Board.

Supervisor Hyland said that the thoughts expressed in the memorandum are excellent and call for some clarification of terms in the Federal Fair

Housing Act language as well as establishment of certain procedures to fine tune the effectiveness of the Commission in helping to augment the legislation.

Supervisor Hyland asked unanimous consent that the Board direct staff to review the communication from the GRFC in connection with the present study of changes to the Ordinance which affect the rules for group homes. Without objection, it was so ordered.

Supervisor Hanley asked unanimous consent that the Board direct staff to respond to this issue as expeditiously as possible (within 30 days). Without objection, it was so ordered.

29. RESOLUTION SUBMITTED BY THE MOUNT VERNON COUNCIL
REGARDING CALLER ID TELEPHONE SERVICE (TAPE 5)

Supervisor Hyland stated that the Mount Vernon Council of Citizens Associations adopted a resolution on February 28, 1990 regarding their position on Caller ID Telephone Service.

Supervisor Hyland said that the Council asks that the Board support their position that:

- The Virginia State Corporation Commission suspend the Caller ID Service, take steps to ensure that the public is provided with full information (positive and negative implications of this service); and
- Hold public hearings for the purpose of determining whether or not the service is in the public's best interest.

Supervisor Hyland asked unanimous consent that Board refer the Resolution to staff for its information. Without objection, it was so ordered.

Supervisor Bulova stated that the Board had previously taken action to direct the Chairman to send a letter to the State Corporation Commission (SCC) requesting a hearing. She said that she had not seen a copy of that letter and questioned whether the letter had been sent. Supervisor Bulova was advised that the letter had been sent and her copy would be forthcoming.

30. GAS PUMP NOZZLES GENERATE MEDIA INTEREST
(TAPE 5)

Supervisor Hyland stated that recently there have been two references in the press concerning the Federal Clean Air proposals and gas pump nozzles, both indicating the benefits of the nozzles and the need for haste.

Supervisor Hyland asked unanimous consent that the Board direct staff to advise the Board on whether a date has been set for the briefing of the Board by the Council of Governments (COG) as directed by the Board on November 20, 1989. Without objection, it was so ordered.

31. RECOMMENDATION TO ESTABLISH PARK USERS' GROUP
(TAPE 5)

Supervisor Hyland stated that recently the Park Authority raised its fees for use of recreational facilities throughout Fairfax County. He said as a result of this action, he has received a substantial number of calls, letters and petitions from residents in the Mount Vernon District protesting the increase. He said of those who communicated, there were many senior citizens who expressed concern and linked their frustration to the increases in their real estate taxes.

Supervisor Hyland said that while there may be a valid reason for the increase, this is not readily accepted by the public. He said that many do not understand the terms under which the Park Authority operates its facilities. He added that the fee increases are a sensitive issue at best but it is essential that the reasons for the increases be communicated clearly to the users and that they, in turn, have an opportunity to react.

Supervisor Hyland stated that while there is a Park Authority Board with representation from each district and citizens may take advantage of the public hearing process, he said there needs to be an opportunity available for the Park Authority to justify adjustments made to the fee schedule. Furthermore, Supervisor Hyland stated that in the interest of having more informed recreational facility users and to receive valuable grassroots input on fee increases, the reasons for them, the necessity and cost of facilities maintenance, what the users of each facility are experiencing and recommending, he supports the establishment of an advisory committee of users for each recreational facility.

Supervisor Hyland moved that the Board direct the Park Authority staff to consider establishment of a Recreation Facility User Advisory Committee for each center and that they report to the Board with their findings and recommendations for implementation. This motion was seconded by Supervisor Davis.

Following discussion, Supervisor Alexander asked that the motion be amended to include a public hearing process by the Park Authority on the increase in fees, and this was accepted.

Supervisor Pennino made the following substitute motion:

- That the Board request the Park Authority to print pamphlets that pertain to each individual facility informing the users why the raises in fees are necessary; and

- That those persons on low income or who feel that the fee charges are a hardship can apply for a discount.

This motion was seconded by Supervisor Bulova and FAILED by a recorded vote of three, Supervisor Bulova, Supervisor Richards, and Vice-Chairman Pennino voting "AYE," Supervisor Hanley and Chairman Moore being out of the room, Supervisor McConnell being absent.

Following discussion with input from J. Hamilton Lambert, County Executive, Supervisor Hyland withdrew his motion and asked unanimous consent that the Board direct staff to:

- Provide additional information to the public regarding the increase in fees;
- Request the Park Authority to hold a hearing on any future fee increases; and
- Review the proposal relative to the establishment of community groups for participation at the individual facilities.

Without objection, it was so ordered.

32. BUS SERVICE REQUEST TO CONNECT LORTON WITH MOUNT VERNON (TAPE 5)

Supervisor Hyland stated that at a recent land use committee meeting with the Federation of Lorton Communities, Chairman Riley Jacobs, on behalf of the Committee, requested additional bus service for the Lorton community. He said that there may be a missing link in the transportation system because there is no bus service provided to The Fairfax (a large retirement village). He said that many employees commute to the Village by using private transportation only because there is no bus service.

Supervisor Hyland stated that Mr. Jacobs also suggested that if public transportation can be connected to existing Fairfax Connector Bus Route #303 and with Metro Bus Route #9 it could allow the future Lorton commuter rail and town center to become a transportation hub for the Lorton area.

Therefore, Supervisor Hyland moved that the Board direct staff to research the ideas suggested by the Federation of Lorton Communities' Land Use Committee and report their findings. This motion was seconded by Supervisor Davis and carried by a vote of seven, Supervisor Hanley being out of the room, Supervisor McConnell being absent.

33. STATUS OF THE EMERGENCY ORDINANCE NECESSARY TO
IMPLEMENT THE EMERGENCY LEGISLATION PASSED IN
CONNECTION WITH THE USE OF MILITARY PHYSICIANS
(TAPE 5)

Supervisor Hyland asked unanimous consent that the Board direct staff to report to the Board with the status of the emergency Ordinance necessary to implement the emergency legislation passed in connection with the use of military physicians related to the affidavits for real estate tax exemption. He pointed out that there was a May 1, 1990 deadline to change the County Ordinance. Without objection, it was so ordered.

34. MOUNT VERNON DISTRICT MEETING:
"BREAKFAST WITH THE SUPERVISOR"
(TAPE 5)

Supervisor Hyland announced that a Mount Vernon District meeting, "Breakfast with the Supervisor" is scheduled for March 31, 1990 from 7:30 a.m. until 9:00 a.m. at the Belle Haven Country Club. He urged all interested individuals to attend.

35. EXPEDITED PUBLIC HEARING FOR SPECIAL EXCEPTION
APPLICATION SE 88-V-047 (TAPE 5)

Supervisor Hyland stated that former Mount Vernon District Supervisor, T. Farrell Egge, has requested that he make the following motion: That the Board expedite a public hearing on Special Exception Application SE 88-V-047, Martin B. Jarvis, Jr. and Judith A. Jarvis to Tuesday, April 17, 1990 at 2:30 p.m. This motion was seconded by Supervisor Davis and carried by a vote of seven, Supervisor Hanley being out of the room, Supervisor McConnell being absent.

36. 73 IDEAS FOR STRESS REDUCTION (TAPE 5)

Supervisor Hyland referred to the document distributed to Board Members earlier in the meeting regarding stress reduction and encouraged Board Members to read the document.

37. HAPPY BIRTHDAY WISHES TO SUPERVISOR KATHERINE
HANLEY AND SUPERVISOR MARTHA PENNINO (TAPE 5)

Supervisor Hyland noted that Supervisor Hanley and Supervisor Pennino had celebrated birthdays since the last meeting held in February 1990 and, on behalf of the entire Board, extended Birthday wishes and he presented them each with a birthday card signed by the entire Board and a red rose.

38. MS. MAUREEN SCHREINER, CHIEF ADMINISTRATIVE
ASSISTANT (TAPE 5)

Supervisor Alexander announced that Ms. Maureen Schreiner is his new Chief Administrative Assistant.

On behalf of the Board, Chairman Moore congratulated Ms. Schreiner on her new position.

39. 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. David 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 stated that the Board had directed staff review the issue to determine whether the Benners' filing fees could be waived. He said that staff had reported that waiving the fees is justified under Section 18-106 of the Zoning Ordinance for good cause shown.

Therefore, Supervisor Alexander moved that the Board direct staff to waive the fees associated with this Variance request. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being absent.

40. APPRECIATION EXPRESSED TO INDIVIDUALS FOR
ASSISTANCE IN CLEAN-UP OF THE ALEXANDRIA
WASTE ENERGY FACILITY (TAPE 5)

Supervisor Alexander showed to Board Members transparencies depicting "before and after" photographs of the trash pile issue at the Alexandria Waste Energy Facility located in the southern portion of Lee District. He presented a brief synopsis of the actions resulting in the clean-up of this facility. He expressed his appreciation to Mr. Robert Heittman, Arlington County Board, and Alexandria City Council for their outstanding contributions to this endeavor.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct the staff to prepare letters under the Chairman's signature expressing the Board's appreciation to those involved in the project. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

41. LACK OF BUFFERS/BARRIERS BETWEEN
INTERSTATE I-95 AND BACKLICK ROAD
(TAPE 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 stated that there were still 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 a meeting had been held which included representatives from VDOT, as well as elected General Assembly officials to discuss these severe safety issues. As a result of this meeting, Supervisor Alexander read into the record a proposed letter for signature by the County Executive and a similar letter for signature by the Chairman which provides solutions to this situation which includes safety and sound barriers.

Supervisor Alexander moved that the Board direct the County Executive and the Chairman to send the letters. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being absent.

42. ABSENCE OF SUPERVISOR JOSEPH ALEXANDER, LEE
DISTRICT FROM THE AFTERNOON SESSION OF THE
BOARD MEETING (TAPE 6)

Supervisor Alexander announced that he would be absent from the afternoon and possibly the evening session of the Board meeting so that he could attend an American Public Transit Association meeting (legislative).

43. A-3 - ADOPTION OF A RESOLUTION ON THE COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM AND RECOGNITION
OF COMMUNITY DEVELOPMENT WEEK (TAPE 6)

(R) Supervisor Davis moved that the Board concur in the recommendation of staff and adopt a Resolution:

- Proclaiming the week of April 7 through April 14, 1990, as "COMMUNITY DEVELOPMENT WEEK" in Fairfax County, and urging all citizens to recognize the outstanding work being done through Community Development Block Grants (CDBG) and their vital importance to Fairfax County; and
- Authorizing the Chairman of the Board of Supervisors to transmit a copy of the Resolution to the Virginia Congressional Delegation and the Chairmen of the key Senate and House Budget and Banking, Finance, and Urban Affairs Committees urging them to support the reauthorization of and full funding for CDBG and to preserve local flexibility in determining and addressing the needs of low and moderate income residents, which was the intent of the CDBG and which has been essential to its many years of success.

This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor McConnell being absent.

Supervisor Davis passed out "T-Shirts" to Board Members promoting Community Development Week.

44. APPLICABILITY OF BUSINESS, PROFESSIONAL AND
OCCUPATIONAL LICENSE (BPOL) TAX TO CONDOMINIUM
AND HOMEOWNER ASSOCIATIONS (TAPE 6)

Supervisor Davis stated that he had received a letter from auditors of over 175 condominium and homeowners associations around the area. He

said that they noted that over the past few years the question has arisen regarding the applicability of the Business, Professional and Occupational License (BPOL) Tax to those associations. He said that they have been unable to get an appropriate interpretation from the County. Therefore, Supervisor Davis moved that the Board direct the staff to review this issue and report its findings in the form of an Information Item. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being absent.

45. REQUEST FOR COUNTY EXECUTIVE TO RECOMMEND WHERE
ADDITIONAL MONIES COULD BE CUT FROM THE BUDGET
(TAPE 6)

Supervisor Davis stated that last year the County Executive had been requested, in addition to his recommendations for the budget, to also identify where he would recommend that the additional monies be taken if the Board were to cut spending. Supervisor Davis moved that the Board direct the County Executive to recommend again this year where additional monies (approximately \$36 million) could be cut from the Budget prior to the public hearing process. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Alexander being out of the room, Supervisor McConnell being absent.

46. REVIEW OF A MANAGEMENT AUDIT BY THE CITIZENS'
BUDGET OVERVIEW COMMITTEE (TAPE 6)

Supervisor Davis asked unanimous consent that the Board refer the issue of a management/internal audit on the budget to the Citizens' Budget Overview Committee for review and recommendation. Without objection, it was so ordered.

47. INCOME TAX AND MEALS TAX (TAPE 6)

Supervisor Davis stated that the Board does not have a policy regarding taxes as they "come down" in terms of the referendum provision. He said that there were two taxes that did have a referendum provision: the income tax and the meals tax.

Supervisor Hanley stated that at the Board of Supervisors' meeting held on February 12, 1990, action was taken to endorse Senate Bill 412 which indicated that the Board supported the equality of powers of cities and counties in taxing matters.

Supervisor Davis moved that the Board, in terms of the two taxes that require referendum, reiterate its support for those referendums (income tax and the meals tax) and resist any change in the law, however, this motion was not seconded.

Since there was no second to the motion, Supervisor Davis asked unanimous consent that the Board, in terms of the two taxes that require referendum, reiterate its support for those referendums (income tax and the meals tax) and resist any change in the law, however, this request was ruled out-of-order.

48. JESUS CHRIST CHURCH OF LATTER DAY SAINTS
(TAPE 6)

Supervisor Pennino stated that it has come to her attention that the Jesus Christ Church of Latter Day Saints located at 2727 Centreville Road has a problem whereby the church has begun constructing an addition to its parking lot and other structures on its property. She said that the church believed that it had County approval of this construction project. Supervisor Pennino stated that it has been determined that although there had been approval in 1983 those approvals had expired. She said that new approvals were obtained which did not include the additional construction. She added that the church had its parking lot graded and was ready to pour the asphalt when the County issued a "stop work order." She pointed out that this has left the parking lot graded and unpaved with a substantial difference between the elevation of the paved lot and the unpaved portion which could present a safety problem.

Supervisor Pennino said that the church believes that the County is partially at fault. She stated that a building permit was issued for work upon a shed and mechanical enclosures and the church thought this permit included permission to construct the parking lot. Before the County staff can approve the additional parking area, Supervisor Pennino said a Special Permit Amendment Application must be filed and approved by the Board of Zoning Appeals (BZA). Since this has been a "confused mess," and completion of the site is being delayed until the issue is resolved, Supervisor Pennino moved that the fee for the Special Permit Amendment Application be waived and that the BZA be requested to expedite the public hearing on the Special Permit Amendment Application once it is filed. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander being out of the room, Supervisor McConnell being absent.

49. REQUEST TO DESIGNATE OLD COURTHOUSE ROAD AS A
HISTORIC SCENIC BYWAY (TAPE 6)

Supervisor Pennino stated that she has had a request from citizens in the vicinity of Old Courthouse Road that consideration be given to designating it as a historic scenic byway. Therefore, Supervisor Pennino moved that the Board direct staff to evaluate this concept. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Alexander being out of the room, Supervisor McConnell being absent.

50. ADOPT-A-HIGHWAY PROGRAM (TAPE 6)

Supervisor Pennino moved that the Board direct staff to publicize the Adopt-A-Highway program along with the information on how citizens can become involved in the program. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Alexander being out of the room, Supervisor McConnell being absent.

51. ALLEGED COMMITMENT BY FAIRFAX COUNTY ON THE USE
OF TOLL ROAD FUNDS (TAPE 6)

Supervisor Pennino referred to a letter that she had received 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 as a result of this letter, Shiva K. Pant, Director, Office of Transportation, has written a letter responding to this issue. She commended Mr. Pant for the promptness with which he responded to the Board and for the substance of the letter which "spells out" very clearly the Board's concerns.

Supervisor Pennino said that she had read in the newspaper recently that a spokesperson for VDOT is saying that there are no funds left in the Dulles Toll Road "kitty" and there is no explanation as to what happened to the funds.

J. Hamilton Lambert, County Executive, stated that the staff cannot find the agreement that Mr. Williams alleges exists. He said that staff has requested the State to provide a copy of the alleged agreement.

The County Executive stated that there was approximately \$22 million remaining as additional funding availability in the Dulles Toll Road financial package. He added that in trying to improve the Dulles Toll Road it appears that the State is using that money as part of a pay down capital construction method rather than selling bonds or refinancing. He added that staff was trying to obtain additional information regarding this issue.

52. EXPEDITED PROCESSING FOR SITE PLAN NUMBER
5574-SP-03-1 (TAPE 6)

Supervisor Pennino referred to applicants of a recently filed Special Exception Application for property located on Tax Map Reference 16-3 ((1)) 32(P). She said that this Special Exception was filed for this property as a result of the recently adopted amendments to the Commercial and Industrial (C&I) Zoning District. She said that Site Plan Number 5574-SP-03-1 was filed on this property on November 6, 1989. Supervisor Pennino explained that when the Board approved the C&I amendments it was recommended that the Board approve expedited processing for those applications that were subsequently filed. Therefore, Supervisor Pennino moved that Site Plan Number 5574-SP-03-1 be reviewed concurrent with the expedited processing of the as yet unnumbered Special Exception filed for the property on Tax Map Reference 16-3((1))32(P). This motion was seconded by Supervisor Bulova and carried by a vote of five, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room, Supervisor McConnell being absent.

53. NEIGHBORHOOD WATCH SPORT CAPS (TAPE 6)

Supervisor Bulova stated that in North Springfield, Neighborhood Watch members patrol the neighborhood not just by auto, but on foot. She said that the daytime walker and jogger patrols wear Neighborhood Watch caps for identification.

Supervisor Bulova said that the North Springfield Civic Association picked up the initial purchase of 50 caps at \$4.30 per cap. She added that more caps are needed for more patrols, but the additional cost may be prohibitive. She explained that Watch members have contacted the Fairfax County Police Neighborhood Watch Coordinator, suggesting that the County purchase the caps in bulk and make them available Countywide to neighborhood watches for the lower price.

Supervisor Bulova asked unanimous consent that the Board direct staff to review this suggestion and report with information as to if and how such a plan could be implemented. Without objection, it was so ordered.

54. WAPLES MOBILE HOME PARK EXPANSION (TAPE 6)

Supervisor Bulova stated that she had previously requested an Out-of-Turn Plan Amendment to allow the displaced mobile home park residents to be relocated adjacent to the existing park which is being developed as a shopping center.

Supervisor Bulova said that the Plan Amendment process is moving forward as is the concurrent Rezoning Application. She added that today, a 30 percent site plan for the mobile home park is being submitted to the Department of Environmental Management (DEM). She pointed out that timing is tight and critical. For this reason, Supervisor Bulova moved that the Board direct staff to concurrently review the site plan with the rezoning application as expeditiously as possible. This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Davis and Chairman Moore being out of the room, Supervisor McConnell being absent.

55. TIME SHARE RESPITE CARE GROUP HOME (TAPE 6)

Supervisor Bulova stated that at the February 26, 1990 Board meeting, Board Members heard from parents of retarded children seeking help for something rather innovative - a Time Share Respite Care Group Home. She said that knowing that resources are scarce for placement of their older children in group homes, these parents would like to share two group homes for two week intervals throughout the year.

Supervisor Bulova stated that unfortunately this request comes rather late in the budget process. Supervisor Bulova asked unanimous consent that the Board direct the Fairfax-Falls Church Community Services Board to investigate the feasibility of a project like this and report to the Board and to the "Parents for Community-Based Services", with a cost analysis for implementing it. She said that while it may not be

possible to include funding for such a program this year, it seems like a worthy project that could stretch limited resources.

Without objection, it was so ordered.

56. INTENT TO DEFER THE PH ON REZONING APPLICATION
RZ 89-A-018 (NV HOMES, LIMITED PARTNERSHIP)
(ANNANDALE DISTRICT) (TAPE 6)

Supervisor Bulova announced her intent, at the appropriate time later in the meeting, to defer the public hearing on Rezoning Application RZ 89-A-018 until April 17, 1990.

(Note: Later in the meeting action was taken to defer the public hearing on Rezoning Application RZ 89-A-018. See Clerk's Summary Item CL#98.)

57. INTENT TO DEFER THE PH ON SPECIAL EXCEPTION
APPLICATION SE 89-P-066 AND PROFFERED CONDITION
AMENDMENT APPLICATION PCA 77-P-146-2 (FAIRFAX
HOSPITAL SYSTEM) (PROVIDENCE DISTRICT) (TAPE 6)

Supervisor Hanley announced her intent, at the appropriate time later in the meeting, to defer the public hearing on Special Exception Application SE 89-P-066 and Proffered Condition Amendment Application PCA 77-P-146-2.

(Note: Later in the meeting action was taken to defer the public hearing on Special Exception Application SE 89-P-066 and Proffered Condition Amendment Application PCA 77-P-146-2. See Clerk's Summary Item CL#106.)

58. REQUEST TO VACATE AN EASEMENT BEHIND HOMES
LOCATED AT 2258 AND 2256 SENSENEY LANE
(TAPE 6)

Supervisor Hanley stated that she had received a request from Ms. Akiyuki Konishi and Mr. Frederick W. Herr requesting that the Board vacate the easement behind their homes located at 2258 and 2256 Senseney Lane, Lots 24 and 186A. Supervisor Hanley asked unanimous consent that the Board direct staff to start the process. Without objection, it was so ordered.

59. INTENT TO DEFER THE PH ON OUT-OF-TURN PLAN
AMENDMENT NOMINATION S89-III-BR1 (PROVIDENCE
DISTRICT) (TAPE 6)

Supervisor Hanley announced her intent, at the appropriate time later in the meeting, to defer the public hearing on Out-of-Turn Plan Amendment Nomination S89-III-BR1 for 60 days.

(Note: Later in the meeting action was taken to defer the public hearing on Out-of-Turn Plan Amendment Nomination S89-III-BR1. See Clerk's Summary Item CL#83.)

60. ADDITIONAL ACTION REGARDING PROFFERED CONDITION
AMENDMENT/CONCEPTUAL DEVELOPMENT PLAN AMENDMENT/
FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION
PCA/CDPA/FDPA 86-P-090 (TAPE 6)

Supervisor Hanley stated that Proffered Condition Amendment/Conceptual Development Plan Amendment/Final Development Plan Amendment Application PCA/CDPA/FDPA 86-P-090 was approved by the Board on October 30, 1989. She said that this approval included:

- Waiver of the barrier requirement along the northern and eastern boundaries;
- Waiver of transitional screening and barrier requirements along the southern boundary;
- Waiver of the 600-foot maximum private street; and
- Waiver of the minimum distance of 75-feet from Interstate 66 for building II.

Supervisor Hanley stated that a separate motion was not made to address the applicant's request for waiver of the five percent interior parking lot landscaping required by Article 13-106, Paragraph 6. She said that the waiver was requested and set forth as Note Eight on the approved Final Development Plan (FDP). Supervisor Hanley moved approval of a waiver of the five percent interior parking lot landscaping requirement for the Fairfield Site (PCA/CDPA/FDPA 86-P-090). This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Davis, and Chairman Moore being out of the room, Supervisor McConnell being absent.

61. HOUSING TRUST FUND (TAPE 6)

(VERBATIM)

Supervisor Hanley expressed concern regarding the Housing Trust Fund because, as the Board reviews how proffers are accepted, it will be necessary to review how the Housing Trust Fund obtains funds. Therefore, Supervisor Hanley asked unanimous consent that the Board direct Housing and Community Development staff and the Redevelopment and Housing Authority to respond with the following information at the Board of Supervisors' meeting scheduled for April 16, 1990:

- The status of the Housing Trust Fund;
- The status of the application process; and
- The plans of the trustees of the Housing Trust Fund to solicit contributions from other sources.

Without objection, it was so ordered.

62. ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) HIV
(TAPE 6)

Supervisor Hanley stated that she had distributed to Board Members a copy of a letter from the Chairman of the Health Care Advisory Board which contained a policy on Acquired Immune Deficiency Syndrome (AIDS) HIV which the Board has not yet adopted. She announced that it is her intent to move the adoption of the recommendation at the Board of Supervisors' meeting scheduled for March 26, 1990. Supervisor Hanley asked unanimous consent that the Board direct staff to bring this item before the Board at its meeting scheduled for March 26, 1990 as a Consideration Item.

Following discussion, Supervisor Richards asked that the request be amended to direct staff to address Bullet Five in the letter which refers to the commitments to address the HIV epidemic through prevention and service delivery which must be adequately funded.

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

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63. ADMINISTRATIVE ITEMS (TAPE 7)

Supervisor Alexander moved approval of the Administrative Items. This motion was seconded by Supervisor Bulova.

Supervisor Hyland called the Board's attention to Administrative Item Eight - Authorization to Advertise Proposed Amendment to Chapter 67 (Sanitary Sewers and Sewage Disposal) (Countywide). There was a brief discussion regarding this item, with input from John W. diZerega, Director, Department of Public Works.

Supervisor Hanley called the Board's attention to Administrative Item Five - Acceptance of Lily Pond Drive Into the State Secondary System (Providence District) and noted, for the record, that Lily Pond Drive is located in Dranesville District, not Providence District.

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

ADMIN 1 - APPROVAL OF WATER MAIN EXTENSION:
FLEET DRIVE (LEE DISTRICT)

Approved the request for the installation of approximately 1,700 feet of 12-inch water main along Fleet Drive (Route 635). The purpose of the proposed water main is to improve system security by providing an alternative water feed for the Manchester Lakes, Kingstowne area, Lee District.

ADMIN 2 - APPROVAL OF WATER MAIN EXTENSION AND
WATER METER VAULT: DEFENSE CEETA FACILITY AT
FORT BELVOIR (MOUNT VERNON DISTRICT)

Approved the request for the installation of approximately 170 feet of 12-inch water main and a water meter vault in a Fairfax County Water Authority easement located off of Telegraph Road, Mount Vernon

District. The proposed water meter vault will provide flow information for billing purposes and the proposed water main will increase fire flow to the Defense CEETA facility located at Fort Belvoir.

ADMIN 3 - ADDITIONAL TIME TO COMMENCE
CONSTRUCTION FOR SPECIAL EXCEPTION
AMENDMENT APPLICATION SEA 84-M-075-2
(MOBIL OIL) (MASON DISTRICT)

- (ET) Approved the request for 18 months of additional time to commence construction for Special Exception Amendment Application SEA 84-M-075-2 until April 11, 1991 pursuant to the provisions of Section 9-015 of the Zoning Ordinance, Mason District.

ADMIN 4 - STREETS INTO THE SECONDARY SYSTEM
(ANNANDALE, CENTREVILLE, DRANESVILLE AND
SPRINGFIELD DISTRICTS)

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated March 12, 1990 be recommended for acceptance into the State Secondary System.

ADMIN 5 - ACCEPTANCE OF LILY POND DRIVE INTO THE
STATE SECONDARY SYSTEM (DRANESVILLE DISTRICT)

- (R) Approved the request that a portion of Lily Pond Drive from the terminal point of State acceptance of Lily Pond Drive to a point approximately 117 linear feet north (0.02 mile) be recommended for acceptance into the State Secondary System under the Board of Road Viewers (BORV) Program, Dranesville District.

Supervisor Hanley noted, for the record, that Lily Pond Drive is located in Dranesville District.

ADMIN 6 - PRICE CLUB SANITARY SEWER
REIMBURSEMENT AGREEMENT (SPRINGFIELD
DISTRICT)

- (R) Authorized the execution of an agreement to collect fees and reimburse the developer for the capacity in sections of the Price Club sanitary sewer line which will be utilized by others, Springfield District.

ADMIN 7 - AUTHORIZATION TO ADVERTISE PUBLICATION
OF FISCAL YEAR (FY) 1991 BUDGET

[NOTE: Earlier in the meeting, various actions were taken to authorize the advertisement of necessary documents pertaining to the Fiscal Year (FY) 1991 Budget. See Clerk's Summary Item CL#15.]

ADMIN 8 - AUTHORIZATION TO ADVERTISE PROPOSED
AMENDMENT TO CHAPTER 67 (SANITARY SEWERS AND
SEWAGE DISPOSAL)(COUNTYWIDE)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on April 16, 17, and 18, 1990 (respectively) at 7:30 p.m. on proposed amendments to the Code of the County of Fairfax, Chapter 67 (Sanitary Sewers and Sewage Disposal) to revise the Availability Fee rate structure as reflected in the proposed amendment.

There was brief discussion regarding this item, with input from John W. diZerega, Director, Department of Public Works.

ADMIN 9 - AUTHORIZATION TO ADVERTISE THE PROPOSED
VACATION OF A THREE-FOOT WIDE PORTION OF "H"
STREET (ROUTE 1506) (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on April 16, 1990 at 5:00 p.m. and posting of the notice of intent to vacate a three-foot wide portion of "H" Street (Route 1506) located within the New Alexandria Subdivision, Mount Vernon District.

ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING ON THE ACQUISITION OF A DEDICATION
NECESSARY FOR THE CONSTRUCTION OF SOUTH VAN
DORN STREET FROM BENT WILLOW DRIVE NORTH TO
THE I-95 RAMP (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on April 16, 1990 at 4:30 p.m. on the proposed acquisition of a dedication necessary for the construction of South Van Dorn Street from Bent Willow Drive North to the Interstate I-95 Ramp, Road Bond Project 006486, Lee District.

ADMIN 11 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING ON THE ACQUISITION OF DEDICATIONS AND
EASEMENTS NECESSARY FOR THE IMPROVEMENT OF THE
INTERSECTION AT LINCOLNIA ROAD AND BRADDOCK
ROAD (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on April 16, 1990 at 5:00 p.m. on the proposed

acquisition of dedications and easements necessary for the improvement of the intersection at Lincolnia Road and Braddock Road, Road Bond Project 006112, Mason District.

ADMIN 12 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN DEDICATIONS AND EASEMENTS NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD BOND PROJECT - WEST OX ROAD (SPRINGFIELD AND PROVIDENCE DISTRICTS)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on April 16, 1990 at 4:30 p.m. on the proposed acquisition of certain dedications and easements necessary for the construction County Road Bond Project 006489, West Ox Road, Springfield and Providence Districts.

ADMIN 13 - AUTHORIZATION TO ADVERTISE THE FISCAL YEAR (FY) 1991 - FY 1995 CAPITAL IMPROVEMENT PROGRAM (CIP)

- (A) Authorized the advertisement a public hearing to be held before the Board of Supervisors on March 26, 1990 at 4:30 p.m. on the proposed Fiscal Year (FY) 1991 - FY 1995 Capital Improvement Program (CIP).

(NOTE: A Work session for the Board of Supervisors is also scheduled for March 19, 1990 at 10:00 a.m.)

64. A-1 - DELEGATION OF AUTHORITY TO THE COUNTY EXECUTIVE OR THE DEPUTY COUNTY EXECUTIVE FOR MANAGEMENT AND BUDGET TO AWARD THE SALE OF PUBLIC IMPROVEMENT BONDS, SERIES 1990A (TAPE 7)

(BONDS)

- (R) On motion of Supervisor Hanley, seconded by Supervisor Hyland, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and adopted the Resolution authorizing the County Executive or Deputy County Executive for Management and Budget to award the sale of \$123 million in Public Improvement Bonds (previously authorized by the Board), Series 1990A on Wednesday, March 14, 1990 to the lowest bidder, in the absence of a quorum.

65. A-2 - SUBMISSION OF OFFICE OF TRANSPORTATION GRANT APPLICATION FOR AN EXPERIMENTAL GRANT PROJECT (ALL DISTRICTS) (TAPE 7)

- (R) On motion of Supervisor Alexander, seconded by Supervisor Hanley, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and adopted the Resolution authorizing the submittal of an application in the amount of \$71,892 to the Virginia Department of Transportation (VDOT) for the Fiscal Year (FY) 1991 Program of Experimental Projects which would allow the County

to lease-purchase two license plate reader systems to be used for transportation planning and marketing. The requested level of funding includes \$68,297 in State funds and requires a County cash match of \$3,595.

There was a brief discussion regarding this item, with input from Dorothy W. Cousineau, Ridesharing Coordinator, Office of Transportation.

66. A-3 - ADOPTION OF A RESOLUTION ON THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND RECOGNITION OF COMMUNITY DEVELOPMENT WEEK (NO TAPE)

[NOTE: Earlier in the meeting, the Board concurred in the recommendation of staff and adopted a Resolution:

- Proclaiming the week of April 7 through April 14, 1990, as "COMMUNITY DEVELOPMENT WEEK" in Fairfax County, and urging all citizens to recognize the outstanding work being done through Community Development Block Grants (CDBG) and its vital importance to Fairfax County; and
- Authorizing the Chairman of the Board of Supervisors to transmit a copy of the Resolution to the Virginia Congressional Delegation and the Chairmen of the key Senate and House Budget and Banking, Finance, and Urban Affairs Committees urging them to support the reauthorization of and full funding for CDBG and to preserve local flexibility in determining and addressing the needs of low and moderate income residents, which was the intent of the CDBG and which has been essential to its many years of success.

See Clerk's Summary Item CL#43.]

67. A-4 - GOVERNMENT CENTER (SPRINGFIELD DISTRICT)
(TAPE 7)

On motion of Supervisor Alexander, seconded by Supervisor Hyland, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and authorized the County Executive to execute amendments to the Amended and Restated Master Development Agreement to approve the final plans and specifications and changes in the final budget, as long as the final budget amount and any change orders do not exceed the amount of funds appropriated for the new Government Center for the following five items associated with the new Government Center:

- Bridge over Interstate Route 66;
- The subconnector road and culvert;
- The monument;
- Conference table; and
- Interior tenant improvements.

There was a brief discussion regarding this item, with input from J. Hamilton Lambert, County Executive, and John W. diZerega, Director, Department of Public Works.

68. A-5 - PARKING REDUCTION FOR GUINEA ROAD INDUSTRIAL PARK (ANNANDALE DISTRICT) (TAPE 7)

On motion of Supervisor Bulova, seconded by Supervisor Hyland, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and approved a 13.7 percent reduction of the required Section 11-102 of the Fairfax County Zoning Ordinance on condition that:

- The owner(s) of the Guinea Road Industrial Park shall submit a parking space utilization study for review and approval by the Board of Supervisors at any time in the future that the Zoning Administrator may determine that parking at the complex may be inadequate to serve the use(s). Following review of that study, the Board may require the addition of any or all of the parking spaces reduced by this application;
- The owner(s) of the Guinea Road Industrial Park, prior to site plan approval, shall execute an agreement subject to approval by the County Attorney's Office to provide any additional parking deemed necessary by the Board as a result of the aforementioned studies. Additionally, the owner(s) shall agree to provide the additional parking within one year (appealable to the Board) of the Board's determination that additional parking is necessary. The executed agreement shall be recorded among the land records of Fairfax County and shall run with title to the land;
- No parking space shall be sold or reserved for a use or individual not specifically allowed by this parking reduction as shown in the parking study/plan for this shared

use or otherwise in accordance with County Code provisions; that is, van or car pool parking, loading spaces and handicapped parking, etcetera;

- Shared parking with any additional use(s) that increase the parking code requirement shall not be permitted without the submission of a new parking study, subject to the Board of Supervisors' approval, prepared in accordance with the applicable requirements of Fairfax County. The Director of the Department of Environmental Management (DEM) may approve the parking for changes in use that do not increase the parking code requirement and/or can be accommodated by the excess parking spaces on site;
- A minimum of 171 universal parking spaces shall be provided these uses;
- The church will be permitted to share only 40 parking spaces which represents 160 seats. An increase in seating requirements will require a revised or amended parking study subject to Board approval;
- In the event that approved uses which are shared parking spaces with the church change their hours of operation to include Sundays, a revised parking study and Board approval will be needed;
- All parking provided shall be in accordance with the applicable requirements of Article 11 of the Fairfax County Zoning Ordinance and the Public Facilities Manual (PFM); and
- All parking utilization studies conditioned by Board approval or required as a result of changed conditions will be based on County Code requirements in effect at the time of said parking utilization study submission.

69. C-1 - COMPENSATION FOR BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS (TAPE 7)

(NOTE: At the Board of Supervisors' meeting held on February 26, 1990, staff was directed to bring forward for Board consideration the issue of compensation for boards, authorities, commissions and advisory groups.)

The Board next considered an item contained in the Memorandum to the Board dated March 12, 1990 regarding compensation for Boards, Authorities, Commissions and Advisory Groups.

Supervisor Davis moved that the Board concur in the recommendation of staff and approve the documentation contained in the Board Package. This motion was seconded by Supervisor Alexander.

Following discussion, Supervisor Alexander moved to amend the motion to include an increase in the compensation for members of the Athletic Council from \$15.00 TO \$25.00 per meeting (Group III). The seconder of this motion was inaudible.

Following further discussion, Supervisor Hyland stated that up through September 1989, the Board of Equalization had been meeting more than once per day. He added that through September 1989, the BOE members had been compensated for those meetings. However, Supervisor Hyland stated that when the BOE requested payment for the meetings attended for the quarter ending December 1989, staff raised the question of whether groups should be compensated for meeting more than once per day. Supervisor Hyland pointed out that there was now a conflict because initially the BOE Members were compensated for meeting in this manner and now they are not. He expressed concern that the policy had been made retroactive.

Supervisor Davis clarified that up through September 1989 the Board had not been made aware of this issue, however, once called to its attention, the Board addressed its policy regarding compensation for Boards, Authorities, Commissions and Advisory Groups meeting more than once per day.

Supervisor Hyland moved to amend the main motion (Supervisor Davis') to include: That the policy the Board adopted regarding the BOE be applied perspectivevely and not retroactively, and particularly to the BOE that operated under the assumption that what they were doing was proper." This motion was seconded by Vice-Chairman Pennino and **FAILED** by a recorded vote of four, Supervisor Alexander, Supervisor Hyland, and Vice-Chairman Pennino voting "AYE," Chairman Moore being out of the room, Supervisor McConnell being absent.

Following further discussion, Supervisor Hyland moved to amend the main motion (Supervisor Davis') to include that the Board direct staff to compensate the BOE monthly, and this was accepted.

The question was called on the amendment to the motion (Supervisor Alexander's) regarding the increase in compensation for the Athletic Council from \$15 TO \$25 per meeting which **FAILED** by a vote of recorded vote of four, Supervisor Alexander, Supervisor Hyland, and Supervisor Richards voting "AYE," Chairman Moore being out of the room, Supervisor McConnell being absent.

Supervisor Davis moved to further amend his main motion as follows:

- That in order for the members of the community centers to be compensated they must run for election;
- That they must vote themselves to be compensated;
- That the amount of compensation shall not exceed \$35 per meeting; and
- That the funds for compensation shall come from monies that the community centers have raised.

This motion amend was seconded by Supervisor Pennino and carried by a vote of seven, Chairman Moore being out of the room, Supervisor McConnell being absent.

Following discussion, with input from J. Hamilton Lambert, County Executive, Vice-Chairman Pennino relinquished the Chair to Acting Chairman Alexander and asked unanimous consent that the Board direct staff to determine whether the Memorandum of Understandings for the Reston and McLean Community Centers contain any specific prohibition regarding compensation to its board members from monies raised by the community centers. Without objection, it was so ordered.

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

The question was called on the main motion (Supervisor Davis'), as amended (compensate BOE monthly and compensation for community centers), which carried by a vote of seven, Chairman Moore being out of the room, Supervisor McConnell being absent.

70. I-1 - ROAD BOND PROGRAM - BOARD OF SUPERVISORS'
MONTHLY STATUS REPORT FOR FEBRUARY, 1990
(TAPE 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated March 12, 1990 presenting the Monthly Status Report for February, 1990. Highlights are as follows:

- Project 6457 Route 1 Signalization and Intersection Improvements Phase II - Notice to proceed issued on February 14, 1990;
- Project 64110 Waples Mill Road/Vale Road/West Ox Road - Notice to proceed given in February;
- Project 64114 Sunrise Valley Drive/Monroe Street - Construction completed in February; and

- Project 64133 Burke Centre Parkway Extended - Notice to proceed issued February 1, 1990.

71. I-2 - FAIRFAX COUNTY PARKWAY/FRANCONIA -
SPRINGFIELD PARKWAY STATUS REPORT
(COUNTYWIDE) (TAPE 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated March 12, 1990 presenting the quarterly Fairfax County Parkway/Franconia - Springfield Parkway Status Report dated February 15, 1990.

72. I-3 - STATUS REPORT ON HIGHWAY PROJECTS IN
THE VIRGINIA DEPARTMENT OF TRANSPORTATION
(VDOT) SIX YEAR IMPROVEMENT PROGRAMS
(COUNTYWIDE) (TAPE 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated March 12, 1990 presenting the Status Report on Highway Projects in the Virginia Department of Transportation (VDOT) Six-Year Improvement Programs from the information provided by VDOT.

73. I-4 - AFFIRMATIVE ACTION RECOMMENDATIONS AND
STRATEGIES (TAPE 7)

(NOTE: At the Board of Supervisors' meeting held on January 29, 1990, staff was directed to implement the Office of Personnel's proposed Exit Interview Program and to report, within 30 days, with strategies to meet the County's Affirmative Action goals. Additionally, at the Board of Supervisors' meeting held on February 12, 1990, staff was directed to implement an Outreach Program to recruit Hispanic employees.)

Supervisor Hanley moved that the Board authorize staff to implement the following Affirmative Action Recommendations and Strategies:

- Initiate Exit Interview Program procedures that identify specific EEO job categories experiencing retention difficulties, determine reasons for departures, and recommend innovative solutions to facilitate long-term retention;
- Expansion of a Minority Outreach Recruitment Program. This would be a more comprehensive, Countywide program designed to assist agencies with difficult minority recruitment problems. The EEO Office, in expanding this program, would plan and devise increased recruitment strategies

for minorities and females and develop comprehensive referral networks within the Hispanic, Asian and black communities;

- Require agencies to submit all relevant personnel actions and activities that impact on job categories presently deficient in minorities or females. The EEO Office of Personnel Director would conduct review and approval. Cases of unexploited opportunities to balance the work force would be forwarded to the appropriate Deputy County Executive for final review;
- Emphasize the appointing authorities' accountability for balancing the work force, with direction and oversight from the responsible Deputy County Executive; and
- Direct staff to prepare a quarterly update and/or presentation to the Board Personnel Subcommittee on the County's Affirmative Action Progress, beginning July 1. The update would keep the Board abreast of the County's continuing efforts towards balancing the work force.

Supervisor Hanley further moved that the Board direct staff to provide, as expeditiously as possible, the costs involved in implementation of this program. The motion was seconded by Supervisor Hyland.

Following discussion, with input from Cornelius J. O'Kane, Director, Office of Personnel, the question was called on the motion, which carried by a vote of seven, Supervisor Davis being out of the room, Supervisor McConnell being absent.

74. I-5 - UPDATE ON THE 1990 CENSUS PROMOTIONAL
ACTIVITIES BY THE COMPLETE COUNT COMMITTEE
(TAPE 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated March 12, 1990 presenting an update on the 1990 Census promotional activities by the 1990 Census Complete Count Committee. The following are some of the general activities that the committee has performed in conjunction with the Office of Research and Statistics (ORS) to promote the 1990 Census:

- Establishment of a working group of County staff from different agencies to assist the committee in communicating with County residents;

- Collection, printing, and distribution of Census promotional materials;
- Advertisements and articles on the Census have been included in several newsletters and other publications issued by County agencies and outside organizations;
- Census flyers were mailed out with County vehicle registration renewal notices to approximately 300,000 households;
- Production of a videotape on the importance of the Census by the Department of Consumer Affairs. The videotape will air on Fairfax County Cable Channel 16 and will be available to committee members for presentation to community groups; and
- Promotional activities for the recruitment of the United States (U.S.) Census Bureau enumerators to serve Fairfax County.

75. I-6 - CONTRACT AWARD - INSTALLATION OF LANDSCAPE PLANTINGS AT COMMERCIAL REVITALIZATION PROGRAM SITES (MASON AND SPRINGFIELD DISTRICTS)
(TAPE 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated March 12, 1990 requesting authorization for staff to award a contract to Ruppert Landscaping in the amount of \$55,430 for installation of landscaping at the following locations:

- The cloverleaf intersection of Routes 7 and 244 in Bailey's Crossroads;
- Seven gateway sign locations in Annandale;
- Four gateway sign locations in Springfield; and
- Four gateway sign locations in Bailey's Crossroads.

The above listed sites designated for improvement are part of Project 009170, Commercial Revitalization Program in Subfund 461, County Construction.

The staff was directed administratively to proceed as proposed.

76. I-7 - ENGINEERING CONTRACT AWARD TO
MICHAEL BAKER, JR., INCORPORATED, FOR
THE DESIGN OF GREENWAY ROAD STORM DRAINAGE
IMPROVEMENTS (MOUNT VERNON DISTRICT)
(TAPE 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated March 12, 1990 requesting authorization for staff to award an engineering contract to Michael Baker, Jr., Incorporated, in the amount of \$38,950 for the preparation of final construction plans and specifications for the removal of the existing storm sewer systems and the installation of a new storm sewer system. Funds are currently available in Project K00055, Greenway Road, in Subfund 468, Public Works Construction.

The staff was directed administratively to proceed as proposed.

77. I-8 - AWARD OF AN ENGINEERING DESIGN CONTRACT
FOR ENGLSIDE PHASE II SUBDIVISION (LEE DISTRICT)
(TAPE 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated March 12, 1990 requesting authorization for staff to award a contract to Bengtson, DeBell, Elkin and Titus, Limited, in the amount of \$139,200 to complete the engineering design for Phase II of Project C00077, Engleside Phase II, Lee District.

The staff was directed administratively to proceed as proposed.

78. I-9 - CONTRACT AWARD - CONSTRUCTION OF TENNIS
COURTS AND RELATED WORK AT THE OLD NAVY VALE
FIRE STATION PROPERTY (CENTREVILLE DISTRICT)
(TAPE 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated March 12, 1990 requesting authorization for staff to award a contract to Finley Paving, Incorporated, of Manassas, Virginia, in the amount of \$84,900 for construction of two tennis courts and related work for Project C004739, Navy Vale, in Subfund 451, Park Authority Bond Construction, Centreville District.

The staff was directed administratively to proceed as proposed.

79. INTENT TO DEFER LAND-USE CASES (TAPE 7)

Chairman Moore announced the Board's intent to defer, at the appropriate time later in the meeting, the following land-use cases:

- Rezoning Application RZ 88-S-056;
- Proffered Condition Amendment Application
PCA 87-P-021;

- Rezoning Application RZ 89-S-054;
- Rezoning Application RZ 89-A-018;
- Rezoning Application RZ 89-C-031;
- Proffered Condition Amendment Application PCA 80-S-078;
- Special Exception Application SE 89-P-066;
- Proffered Condition Amendment Application PCA 77-P-146-2; and
- Rezoning Application RZ 89-A-044.

80. RECESS/EXECUTIVE SESSION (TAPE 7)

At 2:20 p.m., Supervisor Richards 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:

- Route 1 South Associates, LP, versus Board of Supervisors of Fairfax County, Virginia, and Irving Birmingham, Director, Department of Environmental Management, in Chancery Number 114340 and related litigation;
- Chapter 43 (Food and Food Service Establishments) of the Code of the County of Fairfax; and
- Virginia Code Section 2.1-344.

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

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

81. ACTIONS FROM EXECUTIVE SESSION (TAPE 8)

(NOTE: Earlier in the meeting, there was an additional action from Executive Session. See Clerk's Summary Item CL#3.)

B. 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 a vote of seven, Supervisor Alexander being out of the room, Supervisor McConnell being absent.

C. REJECTION OF CLAIM OF GUST K. NEWBERG
CONSTRUCTION COMPANY

Supervisor Hyland moved that the Board of Supervisors reject the claim of Gust K. Newberg Construction Company, Incorporated, dated February 20, 1990, for the following reasons:

- Claim must be decided by the County Executive or his designee pursuant to Article 3, Section 6 of the Fairfax County Purchasing Resolution, not by the Board of Supervisors; and
- The County is absolutely immune from claims based on fraud.

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

D. AUTHORIZATION OF SETTLEMENT OF IN RE:
MANCHESTER LAKES ASSOCIATES, CASE
NUMBER 84-1551-A

Supervisor Hyland moved that the Board of Supervisors authorize settlement of In Re: Manchester Lakes Associates, Case Number 84-1551-A, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Davis and carried by a vote of seven, Supervisor Alexander being out of the room, Supervisor McConnell being absent.

E. WITHDRAWAL OF 3:30 P.M. BOARD ITEM ON
THE PROPOSED AMENDMENTS TO THE ZONING
ORDINANCE, SUBDIVISION ORDINANCE,
EROSION AND SEDIMENTATION CONTROL
ORDINANCE AND PUBLIC FACILITIES
MANUAL REGARDING TREE COVER
REQUIREMENTS

- (A) On the advice of the County Attorney, Supervisor Hyland moved that the Board of Supervisors withdraw the Board Item on the Proposed Amendments to the Zoning Ordinance, Subdivision Ordinance, Erosion and Sedimentation Control Ordinance and Public Facilities Manual Re: Tree Cover Requirements. Supervisor Hyland further moved that the Board authorize the readvertising of the amendments to be heard by the Planning Commission on Thursday, April 12, 1990 and before the Board of Supervisors on Monday, April 16, 1990, at 3:30 p.m. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Alexander being out of the room, Supervisor McConnell being absent.

82A. APPOINTMENT TO THE COMMISSION FOR WOMEN
(TAPE 8)

(APPT)

Supervisor Davis moved the temporary appointment of Ms. Judy Parente as the Mason District Representative on the Commission for Women, effective April 1, 1990, to serve in an advisory capacity due to the fact that the regular appointee, Mary Margaret Hammond, will be out of the country for six months. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Alexander being out of the room, Supervisor McConnell being absent.

82B. APPOINTMENT TO THE 1990 COMPLETE COUNT
CENSUS COMMITTEE (TAPE 8)

(APPT)

Supervisor Davis, on behalf of Supervisor McConnell, moved the appointment of Mr. Michael E. Belefski as the Springfield District Representative to the 1990 Complete Count Census Committee. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander being out of the room, Supervisor McConnell being absent.

SBE:SBE

- 83A. 3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), SUBDIVISION ORDINANCE, EROSION AND SEDIMENTATION CONTROL ORDINANCE, AND PUBLIC FACILITIES MANUAL (PFM) REGARDING TREE COVER REQUIREMENTS (TAPE 8)

[NOTE: Earlier in the meeting, action was taken to defer the public hearing on the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Subdivision Ordinance, Erosion and Sedimentation Control Ordinance and Public Facilities Manual (PFM) establishing tree cover requirements until April 16, 1990 at 3:30 p.m. See Clerk's Summary Item CL#81E.]

- 83B. 3:30 P.M. - PH ON OUT-OF-TURN PLAN AMENDMENT NOMINATION S89-III-BR1 (PROVIDENCE DISTRICT) (TAPES 8-9)

Supervisor Hanley moved to defer the public hearing on Out-of-Turn Plan Amendment Nomination S89-III-BR1 until May 14, 1990 at 3:30 p.m. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander being out of the room, Supervisor McConnell being absent.

84. 3:30 P.M. - PH ON REZONING APPLICATION RZ 88-S-056 (MARTIN E. TURK, TRUSTEE) (SPRINGFIELD DISTRICT) (TAPE 9)

Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 88-S-056 until April 17, 1990 at 2:30 p.m. This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Davis voting "NAY," Supervisor Alexander being out of the room, Supervisor McConnell being absent.

85. 3:30 P.M. - PH ON REZONING APPLICATION RZ 89-P-040 (BARDEN OAKS PARTNERSHIP) (PROVIDENCE DISTRICT) (TAPE 9)

Supervisor Hanley moved to defer the public hearing on Rezoning Application RZ 89-P-040 until March 26, 1990 at 5:00 p.m. This motion was seconded jointly by Supervisor Hyland and Supervisor Pennino and carried by a vote of seven, Supervisor Alexander being out of the room, Supervisor McConnell being absent.

86. 3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 89-S-033 (CHEVY CHASE SAVINGS BANK, F.S.B.) (SPRINGFIELD DISTRICT) (TAPE 9)

Mr. Carlos Montenegro reaffirmed the validity of the affidavit for the record.

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

On behalf of Supervisor McConnell, Supervisor Davis moved approval of Special Exception Application SE 89-S-033 subject to the revised development conditions contained in Appendix One of the Staff Report dated November 9, 1989. This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Alexander and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

87. 3:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT
APPLICATION SEA 81-V-087 (KELLEHER PARTNERSHIP)
(MOUNT VERNON DISTRICT) (TAPE 9)

Supervisor Hyland moved to defer the public hearing on Special Exception Amendment Application SEA 81-V-087 indefinitely. The motion was seconded by Supervisor Davis and carried by a vote of six, Supervisor Hanley abstaining, Supervisor Alexander being out of the room, Supervisor McConnell being absent.

88. 4:00 P.M. - PH ON OUT-OF-TURN PLAN AMENDMENT
NOMINATION S90-CW-T1, DELETION OF A DESIGNATION
ON THE COMPREHENSIVE PLAN FOR A NEW ROADWAY IN
THE CENTREVILLE AREA KNOWN AS "ABANDONED ROAD"
(SPRINGFIELD DISTRICT) (TAPE 9)

On behalf of Supervisor McConnell, Supervisor Davis moved to defer the public hearing on Out-Of-Turn Amendment Nomination S90-CW-T1 until April 17, 1990 at 4:00 p.m. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Alexander and Supervisor Hyland being out of the room, Supervisor McConnell being absent.

89. 4:00 P.M. - PH ON THE CONVEYANCE OF COUNTY-OWNED
PROPERTY TO THE WASHINGTON METROPOLITAN AREA
TRANSIT AUTHORITY (PROVIDENCE DISTRICT)
(TAPE 9)

- (R) Following the public hearing, Supervisor Hanley moved adoption of a Resolution authorizing the conveyance of County-owned property [Tax Map Number 48-1 ((1))-101-A (Part)] to the Washington Metropolitan Area Transit Authority (WMATA). This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Alexander and Supervisor Hyland being out of the room, Supervisor McConnell being absent.

90. 4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT
APPLICATION PCA 87-P-021 (CAPITAL SUN CORPORATION)
(PROVIDENCE DISTRICT) (TAPE 9)

Supervisor Hanley moved to defer the public hearing on Proffered Condition Amendment Application PCA 87-P-021 until April 17, 1990 at 2:30 p.m. This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Alexander and Supervisor Hyland being out of the room, Supervisor McConnell being absent.

91. RECESS (TAPE 9)

At 4:05 p.m., the Board recessed briefly and at 4:35 p.m., reconvened in the Board Room with all Members being present, with the exception of Supervisor Alexander, Supervisor Hanley and Supervisor McConnell, and with Chairman Moore presiding.

92. 4:30 P.M. - PH ON REZONING APPLICATION RZ 89-S-054
(R. W. CLEMENT, INCORPORATED, A VIRGINIA
CORPORATION) (SPRINGFIELD DISTRICT) (TAPE 9)

Supervisor Pennino moved to defer the public hearing on Rezoning Application RZ 89-S-054 until April 17, 1990 at 3:00 p.m. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Alexander and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

93. 4:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT
APPLICATION SEA 79-M-121 (ANNANDALE CHRISTIAN
COMMUNITY FOR ACTION) (MASON DISTRICT)
(TAPE 9)

Ms. Marion Houk reaffirmed the validity of the affidavit for the record.

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

Following discussion, Supervisor Davis moved approval of Special Exception Amendment Application SEA 79-M-121 with the following modifications:

- Delete Conditions 7, 8, 9, and 10;
- Modify Condition 11 to read: "The play equipment shall be removed out of the required front yard area along Daniels Avenue;" and
- Modify Condition 15 to read: "Access to the proposed child care center (ACCA II) shall be limited to Daniels Avenue only, except if during site plan approval the Department of Environmental Management (DEM) shall determine that alternative access is desirable".

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

94. 4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION
SE 89-D-044 (CHEVRON U.S.A., INCORPORATED)
(DRANESVILLE DISTRICT) (TAPE 9)

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

Following the public hearing, Supervisor Richards moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Alexander and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

Supervisor Richards moved approval of Special Exception Application SE 89-D-044 subject to the revised development conditions contained in Appendix One of the Staff Report dated December 13, 1989. This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Alexander and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

95. 4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION
SE 89-D-042 (GOODRIDGE DRIVE ASSOCIATES LIMITED
PARTNERSHIP) (DRANESVILLE DISTRICT) (TAPE 9)

Ms. Lynn Strobel, reaffirmed the validity of the affidavit for the record.

Following the public hearing, Supervisor Richards moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Pennino and carried by a vote of five, Supervisor Alexander, Supervisor Davis, and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

Supervisor Richards moved approval of Special Exception Application SE 89-D-042 subject to the revised development conditions dated February 26, 1990. This motion was seconded by Supervisor Pennino and carried by a vote of five, Supervisor Alexander, Supervisor Davis, and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

96. 4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION
SE 89-D-052 (8180 GREENSBORO ASSOCIATES LIMITED
PARTNERSHIP) (DRANESVILLE DISTRICT) (TAPE 9)

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

Following the public hearing, Supervisor Richards moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Alexander and Supervisor Davis being out of the room, Supervisor McConnell being absent.

Supervisor Richards moved approval of Special Exception Application SE 89-D-052 subject to the revised development conditions contained in Appendix One of the Staff Report dated January 12, 1990. This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Alexander and Supervisor Davis being out of the room, Supervisor McConnell being absent.

97. 4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION
SE 89-C-057 (MARRIOTT CORPORATION) (CENTREVILLE
DISTRICT (TAPE 9)

Mr. Antonio Calabrese, reaffirmed the validity of the affidavit for the record.

Supervisor Richards stated that while the firm of McGuire, Woods, Battle and Booth represents the Richards family trust, one of whose beneficiaries is her husband, she stated she had been advised by the County Attorney that it does not disqualify her from participation in this application.

Following the public hearing, 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 six, Supervisor Alexander and Supervisor Davis being out of the room, Supervisor McConnell being absent.

Supervisor Pennino moved approval of Special Exception Application SE 89-C-057 subject to the revised development conditions contained in Appendix One of the Staff Report dated February 10, 1990 with the following modifications:

- Add Condition 11 to read as follows: "A contribution of \$3,000 shall be made to the Fairfax County Board of Supervisors at the time of Site Plan approval to be put towards the cost of construction of Tourist Center to be established in conjunction with the Dulles Space Museum; and
- If this museum is not built, that the \$3,000 would be returned to the Developer."

This motion was seconded by Supervisor Bulova.

For the record, Mr. Calabrese stated that the applicant concurred with Condition 11.

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

98. 5:00 P.M. - PH ON REZONING APPLICATION RZ 89-A-018
(NV HOMES, LIMITED PARTNERSHIP) (ANNANDALE
DISTRICT) (TAPE 9)

Supervisor Bulova and Supervisor Hyland jointly moved to defer the public hearing on Rezoning Application RZ 89-A-018 until April 17, 1990 at 3:00 p.m. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Alexander being out of the room, Supervisor McConnell being absent.

99. 5:00 P.M. - PH ON REZONING APPLICATION RZ 89-C-031
(OAKTON LAND CORPORATION) (CENTREVILLE DISTRICT)
(TAPE 9)

Supervisor Bulova and Supervisor Hyland jointly moved to defer the public hearing on Rezoning Application RZ 89-C-031 until April 17, 1990 at 3:00 p.m. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Alexander being out of the room, Supervisor McConnell being absent.

100. 5:00 P.M. - PH ON REZONING APPLICATION RZ 89-A-044
(EAGLE DEVELOPMENT LIMITED PARTNERSHIP) (ANNANDALE
DISTRICT) (TAPE 9)

Supervisor Bulova moved to defer the public hearing on Rezoning Application RZ 89-A-044 until April 17, 1990 at 4:00 p.m. because of unsigned proffers. This motion was seconded by Supervisor Davis and carried by a vote of six, Supervisor Alexander and Supervisor Pennino being out of the room, Supervisor McConnell being absent.

101. 5:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT
APPLICATION PCA 80-S-078 (LARRY E. AND MARY G.
EDWARDS) (SPRINGFIELD DISTRICT) (TAPE 9)

Supervisor Hyland moved to defer the public hearing on Proffered Condition Amendment Application PCA 80-S-078 until April 17, 1990 at 3:30 p.m. This motion was seconded by Supervisor Davis and carried by a vote of six, Supervisor Alexander and Supervisor Pennino being out of the room, Supervisor McConnell being absent.

102. 5:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION
SE 89-P-045 (SOVRAN BANK, N.A.) (PROVIDENCE
DISTRICT) (TAPE 9)

Mr. James Fullerton, reaffirmed the validity of the affidavit for the record.

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

Supervisor Hanley moved approval of Special Exception Application SE 89-P-045 subject to the revised development conditions contained in

Appendix One of the Staff Report dated January 12, 1990. This motion was seconded by Supervisor Richards and carried by a vote of six, Supervisor Alexander and Supervisor Pennino being out of the room, Supervisor McConnell being absent.

Supervisor Hanley moved approval of a waiver of the service drive along the Lee Highway frontage of the site. This motion was seconded by Supervisor Richards and carried by a vote of six, Supervisor Alexander, Supervisor Pennino being out of the room, Supervisor McConnell being absent.

103. 5:00 P.M. - PH ON AGRICULTURAL AND FORESTAL DISTRICTS AF 89-S-002 (MARIE Y. MA) (SPRINGFIELD DISTRICT) (TAPE 9)

- (0) Ms. Marie Y. Ma, reaffirmed the validity of the affidavit for the record.

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

On behalf of Supervisor McConnell, Supervisor Davis moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115, Appendix F (District Ordinances for Local Agricultural and Forestal Districts), to establish the F-26 [Ma Local Agricultural and Forestal District (AF 89-S-002)] subject to the proposed provisions contained in Appendix One of the Staff Report dated January 15, 1990. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Alexander and Supervisor Pennino being out of the room, Supervisor McConnell being absent.

104. RECESS (TAPE 9)

At 5:20 p.m., the Board recessed briefly and reconvened at 5:30 p.m. in the Board Room with all Members being present, with the exception of Supervisor Alexander, Supervisor McConnell, Supervisor Pennino and with Chairman Moore presiding.

105. 5:30 P.M. - PH ON REZONING APPLICATION RZ 89-P-045 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 80-P-078-6 (FAIRFAX HOSPITAL SYSTEM) (PROVIDENCE DISTRICT) (TAPES 9-10)

Mr. Don Harris, reaffirmed the validity of the affidavit for the record.

Chairman Moore disclosed that she is a member of the Inova System and the Fairfax Hospital Board.

Chairman Moore disclosed that Supervisor Alexander and Supervisor Hyland are also members of the Fairfax Hospital Board.

Chairman Moore stated that they did not have a financial interest in the Hospital Association or in Inova and that they serve at the request of the Board of Supervisors.

Supervisor Davis disclosed that his wife has privileges at Fairfax Hospital Association.

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

Supervisor Hanley moved:

- That the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 89-P-045 be amended from the R-8 and R-20 Districts to the R-12 District subject to the execution of revised proffers dated March 7, 1990; and
- Approval of Special Exception Amendment Application SEA 80-P-078-6 subject to the Development Conditions dated March 7, 1990.

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

106. 5:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 89-P-066 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 77-P-146-2 (FAIRFAX HOSPITAL SYSTEM) (PROVIDENCE DISTRICT) (TAPE 10)

Supervisor Hanley moved to defer the public hearing on Special Exception Application SE 89-P-066 and Proffered Condition Amendment Application PCA 77-P-146-2 until April 17, 1990 at 3:30 p.m. This motion was seconded jointly by Supervisor Davis and Supervisor Hyland and carried by a vote of six, Supervisor Alexander and Supervisor Pennino being out of the room, Supervisor McConnell being absent.

107. BOARD RECESS (TAPE 10)

At 5:35 p.m., the Board recessed briefly and at 7:40 p.m., reconvened in the Board Room with all members being present, with the exception of Supervisor Alexander, Supervisor McConnell and Supervisor Pennino, and with Chairman Moore presiding.

AR:AR

108. 7:30 P.M. - JOINT PUBLIC HEARING WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO CONSIDER CUT-THROUGH TRAFFIC RESTRICTIONS IN THE KINGS PARK SUBDIVISION (ANNANDALE DISTRICT) (TAPES 11-14)

Following the public hearing, which included testimony by 65 speakers, Supervisor Bulova moved that the Board:

- Approve the measures proposed by the Virginia Department of Transportation (VDOT) to reduce cut-through traffic and enhance safety in the Kings Park Subdivision;
- Request VDOT to include funding in the VDOT Secondary Road Improvement Program and budget for construction of those permanent measures to be retained after an evaluation period has elapsed; and
- That these measures be phased in effective with completion of the portion of Burke Lake Road between Rolling Road and Braddock Road.

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

Supervisor Bulova asked unanimous consent that the Board direct staff to review the issue of adequate posting of the notice for this public hearing. Without objection, it was so ordered.

109. BOARD ADJOURNMENT (TAPE 14)

At 11:00 p.m., the Board adjourned.