



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

APRIL 16, 1990

8-90

AR:ar

The meeting was called to order at 10:15 a.m. with all members being present, with the exception of Supervisor McConnell and Supervisor Richards, and with Chairman Moore presiding.

Supervisor McConnell arrived at 10:20 a.m.

Supervisor Richards arrived at 10:30 a.m.

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

2. CERTIFICATE OF RECOGNITION TO THE JAMES MADISON HIGH SCHOOL CONCERT BAND (Tape 1)

Supervisor Pennino moved approval of the Certificate of Recognition presented to Carl J. Bianchi, Band Director, commending the James Madison High School Concert Band for achieving the Sudler Flag of Honor for demonstrating a high degree of excellence at the national level. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor McConnell and Supervisor Richards not yet having arrived.

3. PROCLAMATION DESIGNATING "VOLUNTEER WEEK" (Tape 1)

Supervisor Hanley moved approval of the Proclamation, presented to Angie Carrera, Executive Director, Volunteer Action Center (VAC), and Andrea Whitehouse, Agency Services and Resources Coordinator, VAC, proclaiming the week of April 22 through April 28, 1990 as "VOLUNTEER WEEK" in Fairfax County, and expressing the Board of Supervisors' sincere appreciation to those citizens who offer their services at no cost, yet contribute so much to Fairfax County's quality of life. This motion was

seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Alexander being out of the room, Supervisor Richards not yet having arrived.

On behalf of the Volunteer Action Center of Fairfax County, Ms. Carrera presented to the Board a large display check, representing almost \$120 million worth of service, symbolizing the dollar value of volunteers in Fairfax County.

4. PROCLAMATION DESIGNATING "EARTH WEEK" (TAPE 1)

Supervisor Hyland moved approval of the Proclamation, presented to Thomas B. White, Jr., Chairman, Fairfax County Park Authority; William Beckner, Director, Fairfax County Park Authority; and Mike Kane, Deputy Director of Operations, Fairfax County Park Authority, proclaiming the week of April 16 through April 22, 1990 as "EARTH WEEK" in Fairfax County, and urging all citizens to participate in the Happy Earth Day Celebration at South Run District Park, and further, to appreciate the environment and natural resources on Earth and participate in Fairfax County's recycling and conservation efforts. This motion was seconded by Supervisor Davis and carried by a vote of eight, Supervisor Richards not yet having arrived.

Supervisor Hyland asked unanimous consent that the Board direct the County Attorney to provide a synopsis of the latest amendments to the "Clean Air Act", as well as the impacts that the amendments will have on Fairfax County. Without objection, it was so ordered.

5. 10:00 A.M. - PRESENTATION BY THOMAS BULGER,
GOVERNMENT RELATIONS, INCORPORATED, ON
TRANSPORTATION ISSUES (TAPES 2-4)

Following the presentation by Thomas Bulger and Jeff Parker, Government Relations, Incorporated, on the preallocation of Virginia Department of Transportation (VDOT), Federal Interstate, primary and urban funds for Fiscal Year (FY) 1991 and the Six Year Program update, Supervisor Bulova asked unanimous consent that the Board direct staff to make the necessary arrangements to schedule before the Transportation Advisory Commission (TAC) the same presentation by Mr. Bulger and Mr. Parker. Without objection, it was so ordered.

Supervisor Pennino asked unanimous consent that the Board direct staff to schedule a strategy meeting with Mr. Bulger and his staff, Board Members and staff, to meet with the Governor L. Douglas Wilder and Secretary of Transportation Milliken for discussion of lobbying efforts necessary to obtain transportation funds for Northern Virginia. Without objection, it was so ordered.

Supervisor Richards asked unanimous consent that the Board direct staff to make Mr. Bulger's presentation available to the Northern Virginia Delegation in Richmond. Without objection, it was so ordered.

Supervisor Alexander moved that the Board endorse the presentation by Mr. Bulger and direct staff to include his testimony as part of Action Item Two - Preallocation Public Hearing for the Virginia Department of Transportation (VDOT) Interstate Primary and Urban Funds for Fiscal Year (FY) 1991 scheduled for later in the meeting. The motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Davis and Supervisor McConnell being out of the room.

(NOTE: Later in the meeting, action was taken on Action Item Two. See Clerk's Summary Item CL#63.)

For the purpose of clarification, Chairman Moore restated the following requests approved by the Board regarding this item:

- Briefing of the State Delegation and the Transportation Advisory Commission; and
- Meeting with Governor Wilder and Secretary of Transportation Milliken.

6. 10:30 A.M. - PRESENTATION OF THE FAIRFAX COUNTY CITIZENS BUDGET OVERVIEW COMMITTEE REPORT AND RECOMMENDATIONS ON THE FISCAL YEAR (FY) 1991 ADVERTISED BUDGET PLAN AND THE FY 1990 THIRD QUARTER BUDGET REVIEW (TAPES 4-5)

(BACs)

Following the presentation of the Fairfax County Citizens Budget Overview Committee (CBOC) report and recommendations on the Fiscal Year (FY) 1991 Advertised Budget Plan and the FY 1990 Third Quarter Budget Review by Ed Hoole, Chairman, CBOC, Supervisor Pennino moved that the Board refer this document to the County Executive for his review and request a response from him as expeditiously as possible. This motion was seconded by Supervisor Davis.

Supervisor Davis asked that the motion be amended to also direct the County Executive to begin the development of a system for the independent program and management audits addressing efficiency and effectiveness within the County programs, and this was accepted.

Supervisor Pennino moved to call the question on the motion, as amended. This motion was seconded by Supervisor Davis and carried by a recorded vote of six, Supervisor Hanley, Supervisor Richards, and Chairman Moore voting "NAY."

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

Following a discussion between Mr. Hoole and Board Members regarding the proposal by the CBOC that the County establish a \$50 fee for ambulance service, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to provide more information on the type of services (transport and/or emergency) provided by the private ambulance companies in Fairfax County. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

Chairman Moore, on behalf of the Board, expressed appreciation for the outstanding efforts of Mr. Hoole and all the members of the CBOC.

VLL:VLL

7. BOARD RECESS (TAPE 6)

At 1:05 p.m., the Board recessed briefly and, at 1:25 p.m., reconvened in the Board Room with all Members being present with the exception of Supervisor Alexander and Supervisor McConnell, and with Chairman Moore presiding.

8. A-1 - VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) PROJECT FOR WIDENING OF CENTREVILLE ROAD (ROUTE 657) FROM ROUTE 50 TO WEST OX ROAD (ROUTE 608) (CENTREVILLE DISTRICT) (TAPE 6)

Supervisor Pennino recognized the presence in the Board Room of the Centreville Road Citizens Coalition. She warmly welcomed the Coalition to the Board Room and she asked that all members stand and be recognized.

Supervisor Pennino called to the Board's attention Action Item One - Virginia Department of Transportation (VDOT) Project for Widening of Centreville Road from Route 50 to West Ox Road (Route 608), Centreville District.

Supervisor Pennino stated that at the Board of Supervisors' meeting held on February 12, 1990, action had been taken to direct staff to forward to the Transportation Advisory Commission for its review, with copies to Board Members, information regarding:

- Who made the decision that Centreville Road should be improved to six lanes;
- Why was the decision made; and
- When was the decision made.

In addition, Supervisor Pennino stated that further action was taken to, following the Transportation Advisory Commission's review and comments, refer the issue to the Planning Commission for its recommendations. To date, Supervisor Pennino stated that she has had no indication that the Planning Commission has considered the issue even though the Transportation Advisory Commission had.

Supervisor Pennino stated that she had been informed that the Commonwealth Transportation Board (CTB) would not be taking action on these plans until sometime in May or June 1990 and she moved that the Board defer its decision on Virginia Department of Transportation (VDOT) plans for widening Centreville Road from Route 50 to West Ox Road (Route 608) to allow additional time for staff to report with background information regarding the "who, why, and when" questions previously requested at the Board of Supervisors' meeting held on February 12, 1990. This motion was seconded by Supervisor Davis.

Supervisor Davis asked that the motion be amended to direct staff to report to the Board at its meeting scheduled for Monday, April 30, 1990, with a response to the "who, why, and when" questions, and this was accepted.

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

Supervisor Pennino expressed her appreciation to the Centreville Road Citizens Coalition for patiently waiting through the Board's morning agenda until she could bring this issue to the Board's attention.

9. NORTHERN VIRGINIA FAMILY CARE ASSOCIATION (TAPE 6)

Chairman Moore called to the Board's attention a letter that she had received earlier this morning from the Northern Virginia Family Day Care Association. She stated that she had been informed that the letter had been distributed to Board Members.

Supervisor Davis asked unanimous consent that the Board defer discussion on this issue until its Executive Session scheduled for later in the meeting. Without objection, it was so ordered.

Chairman Moore directed staff to place this issue on the agenda for the Board's Executive Session later in the meeting.

10. FAIRFAX COUNTY BOARD OF SUPERVISORS ADOPTS
DIFFICULT RUN AS ITS PARTICIPATION IN THE
"ADOPT A STREAM" PROJECT HONORING
"EARTH DAY" (TAPE 6)

(NOTE: Earlier in the meeting, action was taken to approve a Proclamation proclaiming the week of April 16 through April 22, 1990 as "EARTH WEEK" in Fairfax County. See Clerk's Summary Item CL#4.)

Chairman Moore stated that streams and stream valleys are one of Fairfax County's most valuable natural resources. As the County continues to urbanize, these resources are showing signs of stress from development and human activity. Fertilization from lawns and gardens, waste oil and chemicals poured into storm drains, silt and runoff from construction sites, failing septic tanks, and trash, all contribute to the declining health of the streams.

Chairman Moore stated that at the recommendation of the Environmental Quality Advisory Council (EQAC) and staff from the Office of Comprehensive Planning that the County increase public awareness efforts with respect to stream pollution, the County has organized an "Adopt a Stream" program. The program is organized and administered by staff from the Individual Sewage Disposal and Water Supplies Branch, Environmental Health Division, Department of Health. The program currently has 23 participating members representing several hundred individuals in Fairfax County and participants do as much or as little as desired, from providing surveillance of streams for possible pollution sources to actual stream clean ups.

Chairman Moore announced that the 20th anniversary of "EARTH DAY" will be celebrated nationwide on April 22, 1990. A recent newspaper article highlighted the plight of Difficult Run, one of the County's most treasured and important streams. While there are other important waterways in Fairfax County, Difficult Run traverses four Supervisor Districts: Centreville, Dranesville, Providence, and Springfield.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and, in honor of the 20th anniversary of "EARTH DAY," moved that the Board of Supervisors:

- Participate in the "Adopt a Stream" program by adopting Difficult Run; and
- Call upon all interested environmental groups, civic organizations, and businesses, to join the Board of Supervisors in assisting to protect one of the County's most treasured natural resources.

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

Supervisor Moore stated that, on behalf of the Board, she would coordinate the project in her office.

11. EASEMENT PROGRAM POSSIBLE THROUGH THE OPEN SPACE LAND ACT (TAPE 6)

Supervisor Moore stated that earlier in the meeting, the Board discussed the easement program made possible through the Open Space Land Act. She

asked unanimous consent that the Board direct staff to provide to the Board information for distribution to individuals announcing that, if desired, individuals may enter into these agreements thereby reducing taxes. Without objection, it was so ordered.

12. "FLAG DAY" (TAPE 6)

Supervisor Moore announced that June 14, 1990 has been designated as "FLAG DAY." She informed Board Members that she had received a request from the National League of Cities (NLC) that Fairfax County participate in the "Pause for the Pledge of Allegiance Celebration." She stated NLC's request was a call for Americans everywhere to join in reciting the Pledge of Allegiance on June 14, 1990 at 7:00 p.m.

Supervisor Moore moved that the Board endorse the "Pause for the Pledge of Allegiance Celebration" and direct staff to take appropriate action to publicize the event. This motion was seconded by Supervisor Davis and carried by a vote of eight, Supervisor McConnell being out of the room.

13. RESOLUTION SUPPORTING A MAJOR LEAGUE BASEBALL FRANCHISE FOR THE WASHINGTON AREA (TAPE 6)

- (R) Supervisor Moore called to the Board's attention the fact that she serves on the District of Columbia (D.C.) Baseball Commission working to obtain a major league baseball franchise for the Washington area. In addition, she stated that Clifford E. Gaskins, Chief, Mail Services and Publication Sales, Office of General Services, also serves on the Commission and she commended his outstanding performance in this endeavor.

Supervisor Moore stated that the National Baseball League will soon begin its process of selecting the home of two national league franchises. She called to the Board's attention a disturbing report contained in the April 12, 1990 (Thursday) edition of the Washington Post newspaper (Sports Section) in which Senator Wirth (Colorado), Chairman, United States Senate Task Force on the Expansion of the Major Baseball League, stated that Denver, Colorado and Tampa/Saint Petersburg, Florida, were the leading candidate cities. She stated that the D.C. Baseball Commission is preparing to make a presentation to the National Baseball League. As part of the effort, the Commission has requested resolutions of support from local jurisdictions.

Supervisor Moore distributed to Board Members copies of a Resolution and she moved that the Board:

- Adopt the Resolution enthusiastically supporting the efforts of the D.C. Baseball Commission to obtain a major league baseball franchise for the Washington area; and

- Direct staff to forward copies of the signed Resolution to the Governor of the State of Maryland; the Mayor of Baltimore, Maryland; the President of the National League; and the Commissioner of Baseball, urging them to use the full power of their offices to return major league baseball to the Washington area.

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

14. STAFF REQUESTED TO INVESTIGATE THE POSSIBILITY OF GRANTING A WAIVER TO SAVE A 20-YEAR OLD TREE
(TAPE 6)

Supervisor Moore called to the Board's attention a letter that she had received from a constituent who will be moving from Fairfax County and who is very concerned over the removal of a 20-year old tree located in the corner of his property. She stated that the situation had occurred when a Zoning Inspector from the Office of Comprehensive Planning had inspected the site and ruled that the tree would have to be removed because it did not conform with ordinance requirements regarding vegetation at the corners of properties which may prevent site distance.

Supervisor Moore asked unanimous consent that the Board forward to staff the constituent's letter and photograph and direct staff to again investigate this situation to determine whether a safety issue exists and, if not, whether a waiver could be granted to protect the tree. Without objection, it was so ordered.

15. WASHINGTON POST NEWSPAPER ARTICLE, "FOR EPA, WAR ON POLLUTION STRIKES HOME, CLEANUP AGENCY CONFRONTS STAFF COMPLAINTS ABOUT CONTAMINANTS, POOR VENTILATION IN OFFICES" (TAPE 6)

Supervisor Moore distributed to Board Members an article appearing in the Washington Post newspaper entitled, "For EPA, War on Pollution Strikes Home, Cleanup Agency Confronts Staff Complaints About Contaminants, Poor Ventilation in Offices." She stated that because of the energy crisis, individuals are trying to become more energy efficient by constructing "tighter" buildings, however, the air ventilation is very poor because of these measures.

Supervisor Moore asked unanimous consent that the Board request the County Executive to:

- Review the architect's plans for the Fairfax County Government Center; and

- Discuss the issue of poor ventilation with the contractor to ensure that the Fairfax County Government Center will not experience the same problems stated in the article.

Without objection, it was so ordered.

16. PUBLIC FACILITIES ORDINANCE TO ADDRESS DENSITY/
INTENSITY OF USE (TAPE 6)

Supervisor Moore stated that, under State law, Fairfax County is not permitted to have an adequate public facilities ordinance, that currently, once land is zoned, the County cannot restrict individuals from developing the property because the public facilities are not adequate.

Supervisor Moore called to the Board's attention the fact that during the Comprehensive Plan review process, staff could take into account, when providing recommendations for density and intensity of use, the lack of adequate public facilities in areas. She moved that the Board direct staff to review this issue to determine whether any staff recommendations concerning this concept could be incorporated into the proposed Comprehensive Plan (scheduled for public hearings before the Board on June 25 and June 26, 1990.) This motion was jointly seconded by Supervisor Alexander and Supervisor Davis.

Supervisor Hanley asked that the motion be amended to include that the Board also request the Planning Commission to review this issue to determine whether any recommendations concerning this concept could be incorporated into the proposed Comprehensive Plan, and this was accepted.

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

(Because Chairman Moore had pressing business to attend to in the Board Conference Room, Vice-Chairman Pennino retained the gavel.)

17. REQUEST REVISION TO THE PUBLIC FACILITIES MANUAL
(PFM) TO INCORPORATE BLOCK NUMBERS ON FAIRFAX
COUNTY STREET SIGNS (TAPE 6)

Supervisor Alexander called to the Board's attention a suggestion recently made by a Lee District constituent regarding the inclusion of block numbers on Fairfax County street signs. He said because staff is currently in the process of a comprehensive sign replacement effort in Fairfax County, it is too late to include any such changes to the signage.

Supervisor Alexander moved that the Board direct staff to review the possibility of changing the wording in the Public Facilities Manual

(PFM) to require the inclusion of block numbers on future street signs. This motion was jointly seconded by Supervisor Bulova and Supervisor Hyland.

Supervisor Bulova stated that at the Board of Supervisors' meeting held on March 26, 1990, action had been taken to direct staff to review and report to the Board on the feasibility of including block numbers on the street signs. She asked that the motion be amended to direct staff to expedite its response to both today's request and the request made at the March 26, 1990 meeting, and this was accepted.

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

18. RELOCATION OF TENANTS LOCATED ON PARCELS NEEDED
FOR THE OLD GROVETON ELEMENTARY SCHOOL SITE
PUBLIC/PRIVATE REDEVELOPMENT PROJECT (TAPE 6)

Supervisor Alexander stated that at the Board of Supervisors' meeting held on February 26, 1990, action had been taken to approve a contract award to the partnership of Spaulding and Slye Company and Smoot Development Corporation for the Old Groveton Elementary School Site, a Public/Private Redevelopment Project. He said that the five-story building will be used primarily by human services agencies to serve the Route One Corridor.

Supervisor Alexander said that in addition to the land that is currently owned by the County, this project will require acquisition of 1.5 acres of privately-owned land as part of the project's cost which will be titled to the County in the future. He stated that this acquisition will require displacement of current tenants including a barber shop, a beauty shop, an antique store, and approximately 13 longtime citizens who reside on these parcels and that all of these tenants have resided in this location for approximately 14 years.

Supervisor Alexander called to the Board's attention the fact that the relocation will place an extreme hardship on the tenants, in particular, the residential tenants. One family consists of a gentleman who is currently undergoing treatment for liver cancer at Mount Vernon Hospital. His wife had contacted his office in tears recently after receiving notification that the family must vacate the premises by June.

Because this is a public/private project, Supervisor Alexander stated that the County should work to ensure that the private developer takes responsibility for the provision of relocation assistance to these citizens who will be displaced by the purchase of these parcels. Accordingly, he moved that the Board request the County Executive and Verdina Haywood, Deputy County Executive for Human Services, to work out the proper type of assistance needed for these individuals to alleviate the adverse effects of displacement that is comparable to the assistance provided in County relocation programs. This motion was seconded by Supervisor Hyland.

Supervisor Hyland stated that the contractors should be working in cooperation with the owners of the parcels to alleviate the adverse effects of displacement on the tenants.

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

19. A-2 - PREALLOCATION PUBLIC HEARING FOR VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) INTERSTATE PRIMARY AND URBAN FUNDS FOR FISCAL YEAR 1991 (COUNTYWIDE) (TAPE 6)

Supervisor Alexander called the Board's attention to the terrible traffic backup that occurred on Friday, April 13, 1990 at the Interstate I-95 and Beltway interchange. He stated that travellers using this particular interchange were caught in a bumper-to-bumper traffic backup that lasted approximately five hours in both directions, east/west on the Beltway and north/south on Interstate 395.

Supervisor Alexander stated that later in the meeting, action would be taken on Action Item Two - Preallocation Public Hearing for the Virginia Department of Transportation (VDOT) Interstate Primary and Urban Funds for Fiscal Year (FY) 1991 and he asked unanimous consent that the Board direct staff to include in its testimony at the preallocation public hearing, the severe traffic backups that occur at this interchange at least three times a week (and always on Fridays) and urge VDOT to pay particular attention to this interchange. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken on Action Item Two. See Clerk's Summary Item CL#63.)

20. APPRECIATION EXPRESSED TO COUNTY STAFF FOR PARTICIPATION IN MEETING WITH THE CORPS OF ENGINEERS (TAPE 6)

(Upon her return to the Board Room, Vice-Chairman Pennino returned the gavel to Chairman Moore.)

Supervisor Alexander expressed his appreciation to County staff, in particular, J. Hamilton Lambert, County Executive; Larry K. Johnson, Section Leader, Soil Science Office, Department of Extension and Continuing Education; and Joseph Sunday, Director, Office of Road Program Management (ORPM), Department of Public Works, for their participation in the meeting that had been held on Thursday, April 12, 1990 in Norfolk, Virginia with the Corps of Engineers, the Environmental Protection Agency (EPA), and the Fish and Wildlife Service, regarding the wetlands mitigation problem for the extension of Van Dorn Street from Franconia Road to Telegraph Road.

21. ABSENCE OF SUPERVISOR JOSEPH ALEXANDER FROM THE BOARD OF SUPERVISORS' MEETING SCHEDULED FOR TUESDAY, APRIL 17, 1990 AND THE SCHEDULING OF THE CONTINUATION OF BUDGET HEARINGS ON SATURDAY, APRIL 21, 1990 (TAPE 6)

Supervisor Alexander announced that he would be absent from the entire Board meeting scheduled for Tuesday, April 17, 1990 because of a previous commitment to participate on a panel discussion on commuter rail in New York with the American Public Transit Association. He stated that he would be present at the meeting scheduled for the remainder of the budget proceedings scheduled for Wednesday, April 18, 1990 and Saturday, April 21, 1990.

Following Board discussion, J. Hamilton Lambert, County Executive, informed Board Members that the budget public hearing proceedings could be continued on Thursday, April 19, 1990 rather than Saturday, April 21, 1990. He noted that the difficulty with conducting the proceedings on Saturday would be if Board Members made requests to staff for additional information, staff would not be able to produce the requested information to Board Members on Monday, April 23, 1990 for the scheduled work session.

The Board agreed to continue with the public hearing proceedings on Saturday, April 21, 1990 at 1:00 p.m.

22. FUNDING REQUESTED BY THE PARENTS FOR COMMUNITY-BASED SERVICES FOR A RESPITE CARE PROJECT FOR MENTALLY RETARDED CITIZENS (TAPE 6)

Supervisor Bulova referred to a memorandum that had been distributed to Board Members in response to the Parents for Community-Based Services' request for a respite care project for mentally retarded citizens.

Supervisor Bulova stated that, while it is too soon to be recommending funding for the project, she felt the request included very worthwhile elements. Accordingly, she moved that the Board direct staff to work with the Parents for Community-Based Services to help refine their recommendations and plan for future funding, application for grants, and for the eventual implementation of the project. This motion was jointly seconded by Supervisor Hanley and Supervisor Pennino.

Supervisor Pennino asked that the motion be amended to include that the Board direct staff to review a process to place planning funds in the present budget to ensure that this particular project could proceed.

J. Hamilton Lambert, County Executive, responded that when the project was initially discussed, it had been determined that funding for the project would be included as a potential Add-On for Board discussion. In addition, he stated that later in the budget process if the Board so desires, action could be taken to request the Community Services Board to absorb some of the funding for the project as part of the final budget actions.

Following discussion, it was clarified that Supervisor Pennino's amendment to the motion had been to include that the Board direct staff to include planning funds for a respite care project for mentally retarded citizens as a Consideration Item, and this was accepted.

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

PMH:PMH

23. C-1- RECOMMENDATIONS OF THE BOARD AND THE PLANNING COMMISSION APPOINTEES TO STUDY EFFECTS OF HOUSE BILL #721 AND SENATE BILL #170 (TAPES 7-8)

Supervisor Pennino called to the Board's attention Consideration Item - C-1 - Recommendations of the Board and the Planning Commission Appointees to Study Effects of House Bill #721 And Senate Bill #170.

The Board next considered an Item contained in the Memorandum to the Board dated April 16, 1990 presenting the interim recommendations of the Task Force of the Board and Planning Commission Members appointed to study the effects of House Bill #721 and Senate Bill #170.

Chairman Moore recognized the presence in the Board Room of Planning Commissioners Carl L. Sell, Jr., Lee District, and Patrick M. Hanlon, Providence District, each of whom spoke briefly regarding this issue.

Supervisor Pennino moved that the Board:

- Approve the interim recommendations contained in the Board Package as the Task Force's working paper; and
- Request the Task Force to report to the Board with further responses within 45 days but no later than 60 days.

This motion was seconded by Supervisor Richards.

After considerable discussion, the question was called on the motion which carried by unanimous vote.

24. NAME CHANGE OF THE RE-ENTRY WOMEN'S EMPLOYMENT CENTER TO "THE CAREER DEVELOPMENT CENTER FOR WOMEN" (TAPE 8)

Supervisor Pennino called to the Board's attention that she had developed and persuaded the Board to fund a program to establish the Re-Entry Women's Employment Center in 1979. She said that although the focus in 1979 was on the re-entry woman, the demographics of the County have changed so that clients at the Re-Entry Center are changing and nearly 75 percent of the women in the County are now in the work place. She said that the majority of the Center's clients are either changing jobs or changing careers rather than re-entering the job market. She pointed out that at this time the focus of the Center's service needs to be placed on career development rather than employment or re-entry into the job market.

At the request of the Commission for Women, Supervisor Pennino moved that the Board change the name of the Re-Entry Women's Employment Center TO the "Career Development Center for Women" to become effective July 1, 1990. This motion was jointly seconded by Supervisor Hyland and Supervisor Richards and carried by a vote of eight, Supervisor Alexander being out of the room.

25. RECONSTRUCTION OF SUNSET HILLS ROAD (TAPE 8)

Supervisor Pennino called to the Board's attention the fact that when the Reston Town Center was rezoned and the proffers were extracted, one of the proffers had been to reconstruct Sunset Hills Road to a four-lane divided section from the Town Center Parkway to the Herndon Town line. She said that in order for this project to be coordinated with current ongoing projects in the County, the staff has recommended instead of the Reston Land Corporation proceeding with the development that the funding be submitted and the County fulfill the proffer commitment. Accordingly, Supervisor Pennino announced that a check in the amount of \$677,996 had been mutually agreed to and this effort shows the kind of cooperation the County can get from developers when they work together.

26. EXPEDITED PROCESSING FOR PROFFERED CONDITION AMENDMENTS WHICH WILL BE FILED WITH REZONING APPLICATIONS RZ 87-C-060, RZ 88-C-039, RZ 88-C-038 AND RZ 88-C-091 (TAPE 8)

Supervisor Pennino stated that she has been working with citizens in the area and the applicant (Batman Corporation) in connection with the rezoning of McNair Farms to resolve a number of problems with respect to the width and alignment of Centreville Road between West Ox Road and Frying Pan Road extended. She said that there was a proposal to enlarge Centreville Road to six-lanes from four-lanes. Supervisor Pennino said that the Batman Corporation had the intersection of Centreville Road and Frying Pan Road designed as a four-lane intersection. She said that because of the importance of this intersection to the completion of a substantial road network which the Batman Corporation agreed to provide, it could not complete other related road improvements while uncertainty remains with respect to the width of this intersection.

Supervisor Pennino said that problems have arisen with respect to the alignment of this part of Centreville Road owing to concerns that graves lie in the path of the chosen alignment. She pointed out that the problem has delayed for more than a year the completion of road improvements which the developer is willing to make.

Therefore, Supervisor Pennino moved that the Board hear and consider, on an expedited basis, Proffered Condition Amendments which will be filed with Rezoning Applications RZ 87-C-060, RZ 88-C-039, RZ 88-C-038 and RZ 88-C-091. This motion was seconded by Supervisor Richards and carried by a vote of seven, Supervisor Alexander and Supervisor Davis being out of the room.

(NOTE: Later in the meeting, additional action was taken to add the language "without prejudice" to the above-stated motion. See Clerk's Summary Item #45.)

27. CORBALIS TREATMENT PLANT WATER MAIN (TAPE 8)

Supervisor Richards stated that the Fairfax County Water Authority (FCWA), working in conjunction with the Loudoun County Sanitation Authority (LCSA), has identified Herndon Junction as the preferred location for an interconnection with the LCSA water system. She said that water for the interconnection will be supplied from the Corbalis Treatment Plant. She added that the FCWA proposes a 36-inch diameter water main from the Corbalis facility to the Loudoun County line which will augment existing FCWA water interconnections with the LCSA. She noted that a contract has been agreed to between FCWA and LCSA for purchases of water from the Corbalis Treatment Plant.

Supervisor Richards said that three major routes involving nine sub-alternative alignments have been investigated. She explained that the proposed alignment, which will provide the least disruption to Fairfax County and which does not impact existing homes, will generally follow existing utility and transportation corridors in the northwesterly route from the Corbalis Treatment Plant to the Loudoun County line. She said that portions of the permanent easement for the proposed water main also could serve as an excellent location for a hiking/biking trail in the Dranesville area. She added that the other alignments reviewed would have significantly impacted woods, stream valleys, environmentally sensitive areas and approximately 80 to 100 homes in Fairfax County.

In the spirit of regional cooperation between Fairfax County and Loudoun County and recognizing the public water supply benefits of the proposed water main to both localities, Supervisor Richards moved that the Board direct staff to work with FCWA on the detailed planning, approval and 456 process for the proposed water main to expedite the 456 review process for consideration by the staff, Planning Commission and Board of Supervisors. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Alexander being out of the room.

28. "ALTERNATIVE TRANSPORTATION DAY" (TAPE 8)

Supervisor Richards announced that April 19, 1990 is "ALTERNATIVE TRANSPORTATION DAY."

Supervisor Richards stated that the Clean Motion Campaign asks commuters to:

- Fly the flag for Clean Motion; and
- Utilize carpools, vanpools, Metro services, and bicycles to get to work.

Supervisor Richards stated that the Washington Metropolitan region had received a challenge from J.E. "Bud" Clark, Mayor, City of Portland, Oregon. She said that Mayor Clark says that a larger percentage of the Greater Portland Area commuters will use fewer vehicles to get to their jobs on April 19, 1990, "ALTERNATIVE TRANSPORTATION DAY," than will the commuters of the Washington Metropolitan region.

29. LIGHTS FOR MCLEAN LITTLE LEAGUE (TAPE 8)

Supervisor Richards stated that the McLean Little League has submitted a Special Permit Application which will be heard by the Board of Zoning Appeals (BZA) to allow the construction of lights for one of the baseball fields. Supervisor Richards moved that the Board:

- Direct the Department of Environmental Management (DEM) to review the necessary permit applications simultaneously with Special Permit Application SP-90-D-021, with the understanding that this action will not prejudice the public hearing before the BZA; and
- Direct staff to simultaneously process any Site Plan or Site Plan Waiver submitted to DEM in an expedited manner.

Supervisor Richards requested staff to strongly consider a Site Plan Waiver since there is no need for any public improvements on this site.

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

30. ADJUSTMENT OF PROGRAM DATES FOR PARK GARDEN PLOTS
(TAPE 8)

Supervisor Richards stated that the Fairfax County Park Authority's Garden Plot Program officially began on April 15, 1990. She said that two constituents who use Lewinsville Park have asked that the garden plots be made available in March for planting of early crops.

Supervisor Richards said that although the Park Authority does have multiple demands for its equipment in preparing ballfields by March, Lewinsville Park was plowed in time for early crops and needed only the measuring and staking of plots.

Supervisor Richards asked unanimous consent that the Board direct staff to evaluate the possibility of starting the Garden Plot Program on March 15, to allow gardeners adequate time for early planting. Without objection, it was so ordered.

31. ASSESSMENT BRANCH OFFICE PHONE LINES (TAPE 8)

Supervisor Richards stated that her office frequently receives phone calls from constituents who have visited the Office of Assessments' Branch Office located in the McLean Governmental Center with additional questions to ask the person who helped them. She said that because the branch offices do not publish their telephone numbers, the constituents call her office requesting her staff to deliver their messages to the branch office.

Supervisor Richards said that she is aware that with the limited staff at each branch office, it would not be possible to assign someone the task of answering questions all day long. However, Supervisor Richards asked unanimous consent that the Board direct staff to examine the possibility of installing phone answering machines in the branch offices so that people with simple follow-up questions could have them answered without having to stand in line again at the branch office. She pointed out that the ability to speak with someone at local branch offices would be particularly helpful at this time of year when people are purchasing their County decals. Without objection, it was so ordered.

32. FAIRFAX COUNTY STUDENT HEALTH CARE AND EMERGENCY PREPAREDNESS TASK FORCE (TAPE 8)

(BACs)

Supervisor Richards stated that a Task Force has been established by members of the community and some members of staff in an effort to address the current health care procedures for Fairfax County Public Schools students. She said that this organization's objective is to evaluate the current health and emergency procedures relationship between the Fairfax County Public Schools, the Department of Health, and the Fire and Rescue Department. She added that the group would also like to serve as an official County Task Force on matters pertaining to health care for students who attend Fairfax County Public Schools so that materials may be provided from the County to properly evaluate the

effectiveness of the current system. Supervisor Richards asked unanimous consent that the Board direct staff to discuss this issue with the Fairfax County Public Schools and report with a proposal for establishing such a Task Force which would include cost data. Without objection, it was so ordered.

33. APPRECIATION TO EMPLOYEES IN THE OFFICE OF ASSESSMENTS (TAPE 8)

Supervisor Richards read into the record a letter of appreciation to the employees in the Office of Assessments for the assistance provided to a citizen paying his personal property taxes.

34. ASSESSMENT FOR A RECREATION CLUB (TAPE 8)

Supervisor Davis stated that a recreation club [a 501(3)(C) Corporation] in the Mason District has just received its new assessment and now each club member must pay over \$35 per year to pay the real estate taxes. He asked unanimous consent that the Board direct the Assessor to review this issue to determine if it is realistic. Without objection, it was so ordered.

35. HOTEL ROOMS - RENTAL BY THE HOUR (TAPE 8)

Supervisor Davis stated that some of the hotels in the deteriorating areas of the County were renting rooms by the hour. He asked unanimous consent that the Board direct staff to review this issue to determine whether this practice could be changed. Without objection, it was so ordered.

36. COUNTY CHARTER (TAPE 8)

Supervisor Davis stated that he had previously requested staff to begin reviewing the possibility of establishing a County Charter that would reserve rights to Fairfax County that would not be taken away through statewide legislation. Therefore, Supervisor Davis again asked unanimous consent that the Board direct staff to provide the Board with a status report regarding this issue. Without objection, it was so ordered.

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37. PRESERVATION OF LANE'S MILL (TAPE 9)

Supervisor McConnell called the Board's attention to the situation that has occurred in regard to the preservation of Lane's Mill. She noted that part of the mill race was damaged when the developer erected a wall for a detention pond on top of the race. Supervisor McConnell stated that, at this point, the extent of the damage is not known, and whether the race can be restored is being studied closely. She further stated that the entire situation is being reviewed by staff to assess blame, where appropriate, and that plans are under review to help mitigate the damage.

Supervisor McConnell expressed her appreciation to the Historic Preservation staff of the Park Authority, and the Plan Review and Public Utilities Branch of the Department of Environmental Management (DEM) for their prompt attention and diligence in responding to the problem at Lane's Mill.

Supervisor McConnell stated that, in reviewing the staff report, she had been surprised to learn that there had been no report from the Heritage Resources Branch for the property even though Lanes's Mill is one of the most valuable historic resources in Fairfax County.

Noting that the input of the historic preservation staff needs to be strengthened in the rezoning process, Supervisor McConnell moved that the Board direct staff, in its review of the Lane's Mill situation, to also focus on the coordination between the Zoning Evaluation Division and the Heritage Resources Branch of the Office of Comprehensive Planning during the rezoning process and to report to the Board with recommendations for strengthening the role of historic preservation in Fairfax County. The motion was seconded by Supervisor Davis and carried by a vote of seven, Supervisor Alexander and Chairman Moore being out of the room.

38. ARTICLE IN FAMILY CIRCLE MAGAZINE ENTITLED:
"MUST WE SETTLE FOR SECOND BEST?" (TAPE 9)

Supervisor McConnell referred to an article by Lee Iacocca in the April 24, 1990 issue of Family Circle magazine entitled, "Must We Settle For Second Best?" She stated that it was an excellent article on the subject of education and that she would distribute to Board Members copies of the article.

39. RECOGNITION OF BERIA KLEIN, EDITOR AND
CHRISTINE HERBSTREITH, CO-EDITOR OF THE
LORTON COMMUNITY ACTION CENTER NEWSLETTER
(TAPE 9)

Supervisor Hyland distributed to Board Members a copy of the Lorton Community Action Center's newsletter. He said that Ms. Beria Klein and Ms. Christine Herbstreith are very active and civic minded people who, for the past 11 years, have diligently edited and mimeographed the newsletter informing more than 6,000 residents of the activities and events which most directly affect them.

Supervisor Hyland asked unanimous consent that the Board direct the Chairman to send a letter recognizing these individuals for their continued commitment to the Lorton community. Without objection, it was so ordered.

40. CITIZEN PARTICIPATION IN THE ENVIRONMENTAL
ASSESSMENT FOR THE I-95 LANDFILL AND OTHER
PROPERTY (TAPE 9)

Supervisor Hyland stated that at the Board of Supervisors meeting held on March 26, 1990, action was taken to request that an environmental

assessment be performed in connection with the proposed expansion of the I-95 landfill and prison. He said that Mr. Harry Lattimore, the unofficial "Mayor" of Lorton had suggested at the Community Improvement Program (CIP) public hearing that the Board involve citizens in that assessment in order to identify their comments and concerns.

Supervisor Hyland further stated that staff will be conducting the assessment and he believes that it would be a good neighbor practice to include the Lorton residents in this process.

Supervisor Hyland moved that the Board:

- Involve the Lorton residents during the development of the environmental assessment and review process; and
- Direct staff to develop a process to solicit citizen input.

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

41. ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)
RESOLUTION (TAPE 9)

Supervisor Hyland distributed to Board Members a copy of the Resolution adopted by the Environmental Quality Advisory Council (EQAC). He said that currently the Occoquan Watershed Monitoring Laboratory is providing services from the Virginia Polytechnic Institute and State University (VPI&SU).

Supervisor Hyland stated that in order to continue to meet the public health standards for drinking water and to protect the Occoquan Reservoir, EQAC believes the Occoquan Watershed Monitoring Laboratory needs more types of equipment.

Supervisor Hyland explained that EQAC is requesting, through the proffering system, that when a developer requests a rezoning in an area that will have impact upon the Occoquan Reservoir, that the developer proffer some funds which would go toward purchasing the needed monitoring equipment.

Supervisor Hyland moved that the Board:

- Direct staff to review EQAC's Resolution;
and

- Direct staff to report to the Board with its recommendations to effectuate this proposal.

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

42. RESOLUTION REGARDING THE FISCAL YEAR (FY) 91
BUDGET FROM MOUNT VERNON COUNCIL (TAPE 9)

Supervisor Hyland distributed to Board Members a copy of a Resolution adopted by the Mount Vernon Council at its last general meeting.

Supervisor Hyland stated that the Resolution expresses the Council's appreciation to the County Executive and to the Board of Supervisors for a budget that maintains, with improvements, the existing level of programs within the County. He said that the Resolution identifies adjustments to the advertised rate of \$1.14 that would permit the Board to adopt a rate of \$1.11 for Fiscal Year (FY) 1991 and calls for the Board's adoption of this rate.

Supervisor Hyland said that one of the sources identified for funds which could be used to reduce the current year's tax rate is the County's use of special reserves to build up funding sources for the future purchase of capital goods. The County's managed reserve of over \$26 million is viewed by the Council as unnecessary. He added that reserves could be closed out by reducing the real estate tax rate by one and one-half cents and by reducing the current year's charges for solid waste disposal.

Supervisor Hyland stated that the Council also requests the Board to continue guideline specification for the General Fund and the School Board Transfer.

Supervisor Hyland also said that the Council maintains that the County's health and welfare program indicates a need for prioritizing programs in view of the 1991 budget request for a \$9.1 million reserve for unidentified activities necessary to implement welfare reform activities. He added that while the Council recognizes the need for the Board to include a special reserve as an escrowed account, they ask that it be made available only after the County Executive has developed a prioritized list of program needs and detailed plans for expenditure of the special reserve funds.

Supervisor Hyland stated that he was pleased to receive the Council's recommendations and acknowledges the thought and effort the Budget and Finance Committee has put into formulating this resolution.

43. REQUEST FOR REVIEW OF ORDINANCE GOVERNING
ESTABLISHMENT OF PAWN SHOPS (TAPE 9)

Supervisor Hyland stated that during the past three months, he has witnessed the establishment of two pawn shops in the southern part of Fairfax County, specifically in the Route One Corridor.

Supervisor Hyland said that his office has received numerous calls objecting to the proliferation of pawn shops on Route One. He added that there is already a perception that Route One has an over concentration of negative uses and this appears to be yet another one to residents.

Supervisor Hyland moved that the Board direct staff to:

- Review the Ordinance governing the establishment of pawn shops; and
- Find a way to establish pawn shops as a Special Exception use requiring that requests to open these businesses come before the Planning Commission and the Board of Supervisors to include the appropriate public hearing process.

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

44. REQUEST TO EXPEDITE AMENDMENT TO FINAL DEVELOPMENT
PLAN FOR HUNTINGTON GATEWAY (TAPE 9)

Supervisor Hyland stated that Huntington Gateway Associates is presently constructing a mixed use development with approximately 2,000 square feet of commercial space (less than originally approved by the County) while providing for more parking spaces than required. He said that they have made significant transportation improvements to the Route One intersection at Huntington Avenue.

Supervisor Hyland said that under the PDH-40 designation, drive-in banks and automatic teller machines are permitted as a secondary use provided that all site design criteria are met prior to approval by the governing public authorities. He added that Huntington Gateway Associates has added to their final development plan, installation of a drive-thru automatic teller machine on their site.

Supervisor Hyland pointed out that the applicants have presented their amendment to the Planning and Zoning Committee of the Mount Vernon Council and to the Southeast Fairfax Development Corporation and have received the support of these groups.

Supervisor Hyland asked unanimous consent that the Board:

- Direct staff to expedite Proffered and Final Development Plan Amendment Application FDPA 82-V-081 (Huntington Gateway); and
- Direct staff to include this item on the April Agenda of the Planning Commission with a close follow-up date for the Board of Supervisors.

Following input from J. Hamilton Lambert, Supervisor Hyland amended his request to include the words "without prejudice," and this was accepted.

Without objection, the amended request was so ordered.

45. ADDITIONAL CLARIFICATION REGARDING EXPEDITED PROCESSING FOR PROFFERED CONDITION AMENDMENTS WHICH WILL BE FILED WITH REZONING APPLICATIONS RZ 87-C-060, RZ 88-C-039, RZ 88-C-038 AND RZ 88-C-091 (TAPE 9)

(NOTE: Earlier in the meeting, action was taken that the Board hear and consider, on an expedited basis, Proffered Condition Amendments which will be filed with Rezoning Applications RZ 87-C-060, RZ 88-C-039, RZ 88-C-038 and RZ 88-C-091. See Clerk's Summary Item #26.)

Following input from J. Hamilton Lambert, Supervisor Pennino asked unanimous consent that her earlier action requesting the Board to hear and consider, on an expedited basis, Proffered Condition Amendments which will be filed with Rezoning Applications RZ 87-C-060, RZ 88-C-039, RZ 88-C-038 and RZ 88-C-091 include the words "without prejudice," and this was accepted.

Without objection, it was so ordered.

46. I-9 - STAFF RESPONSE TO BOARD OF SUPERVISORS' JANUARY 22, 1990 RECYCLING MOTIONS AND DIRECTION CONCERNING 25 PERCENT RECYCLING BY FISCAL YEAR (FY) 1992 (TAPE 9)

- (A) Supervisor Hyland called to the Board's attention Information Item Nine - Staff Response to Board of Supervisors' January 22, 1990 Recycling Motions and Direction Concerning 25 Percent Recycling by Fiscal Year (FY) 1992.

The Board next considered an Information Item contained in the Memorandum to the Board dated April 16, 1990 requesting authorization for staff to proceed with the County Executive's advertised budget plan now projected to achieve a 25 percent recycling rate by the end of Fiscal Year (FY) 1992 and to accelerate the program in FY 1991 by making an adjustment to the currently advertised budget through the Add On package.

Supervisor Hyland stated that several months ago, the Board had affirmed its policy that Fairfax County will meet its 25 percent recycling goal by 1992. He commended staff for its efforts in trying to meet this goal and for their analysis as to what it will take to accomplish the 25 percent objective. Supervisor Hyland moved that the Board:

- Direct staff to accelerate the Recycling Program in order to meet the recycling goals of Fiscal Year 1992;
- Direct staff to make the appropriate increase to the tipping fees in the amount of \$3.00 per ton; and
- Direct staff to make an adjustment to the currently advertised budget.

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

Following Board discussion with input from John W. diZerega, Director, Department of Public Works, Supervisor Hyland amended his motion, as follows, that the Board:

- If necessary, direct staff to readvertise the public hearing regarding the proposed \$3.00 increase to tipping fees to be held before the Board of Supervisors; and
- If determined that the increase does not have to be readvertised for public hearing and the rate stands at \$43.00 per ton, direct staff to report to the Board with the item to be included in the budget deliberations.

Both parts of this amendment to the motion were accepted by the Seconder of the motion.

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

47. ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR
SPECIAL EXCEPTION APPLICATION SE 87-V-117
(JOSEPH F. VIAR, JR.) (MOUNT VERNON
DISTRICT) (TAPE 9)

- (ET) Supervisor Hyland stated that due to circumstances surrounding the applicant's request for an extension of time on Special Exception Application SE 87-V-117, action was taken by the Board at its meeting held on March 26, 1990 to defer Board decision on the request for additional time.

Supervisor Hyland said that since that time, he had spoken directly with the applicant, Mr. Joseph F. Viar, Jr., and had received the details of the request including the time constraints involved. Supervisor Hyland stated that he now believes that the application is meritorious and, accordingly, he moved that the Board grant the request for a 12 month Extension of Time for Special Exception Application SE 87-V-117. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Alexander and Supervisor Davis being out of the room.

48. SUPERVISOR HYLAND'S EXPRESSION OF APPRECIATION
TO THE BOARD (TAPE 9)

Supervisor Hyland expressed his appreciation to the Members of the Board for their kind expressions of support during the recent illness of a member of his family. Supervisor Hyland stated that the recent need for the use of the County's emergency medical services by a member of his family convinced him that any tax that he has paid to Fairfax County in the past or in the future is worth everything to him in terms of having the availability of a hospital in the Mount Vernon area at the time of an emergency.

49. LEGISLATIVE SUPPORT OF HOUSE BILL NUMBER 197
AND SENATE BILL NUMBER 366 (TAPE 10)

Supervisor Hanley referred to a Memorandum to the Board from J. Hamilton Lambert, County Executive, dated April 12, 1990 subject: "1990 General Assembly - Forthcoming Reconvened Session and Recommended Board Position." She moved that the Board support the staff recommendations with regard to House Bill Number 197 and Senate Bill Number 366, which are consistent with previous legislative positions. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Alexander and Supervisor Davis being out of the room.

50. RULING BY STATE OF MARYLAND COURT OF APPEALS IN REGARD TO LEVYING OF ROAD IMPACT FEES (TAPE 10)

Supervisor Hanley called the Board's attention to an article in the City and State magazine citing a ruling by the State of Maryland Court of Appeals that a county had no authority to levy the road impact fees that have been collected since 1986. Supervisor Hanley asked unanimous consent that the Board refer this article to the County Attorney for his review and comments. Without objection, it was so ordered.

51. ASBESTOS REMOVAL POLICY (TAPE 10)

Supervisor Hanley referred to the copy of an article recently included in the Office of Public Affairs press clippings package distributed to Board Members regarding a conflict between the State and County policy in regard to local asbestos removal policy. She asked unanimous consent that the Board refer this item to the Legislative Subcommittee for its review and recommendations. Without objection, it was so ordered.

52. APPLICATION FOR FEDERAL FUNDS IN THE CHESAPEAKE BAY LOCAL ASSISTANCE PROGRAM (TAPE 10)

Supervisor Hanley stated that it was her understanding that the County would be applying for Federal funds in the Chesapeake Bay Local Assistance Program.

J. Hamilton Lambert, County Executive, stated that the County has been reviewing the program, however, there are a number of jurisdictions in the Commonwealth that are considering going to litigation with regard to the present Chesapeake Bay regulations.

Supervisor Hyland stated that he is serving on a Technical Advisory Committee with the Virginia Association of Counties (VACo) and that proceedings are ongoing under the present regulations, assuming that they are valid until someone says otherwise. He stated that it was his understanding that one of the issues has been trying to find ample funding to enable compliance with the Chesapeake Bay Act.

The County Executive clarified that the County was in the process of examining the grant regulations before making a final decision.

53. APPOINTMENT TO THE FAIRFAX COUNTY PUBLIC SAFETY FACILITY ADVISORY COMMITTEE (TAPE 10)

(APPT)

Supervisor Hanley moved the appointment of Ms. Linda J. Hoyt as the Providence District (Greenbriar Civic Association) Representative to the Fairfax County Public Safety Facility Advisory Committee. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander and Supervisor Davis being out of the room.

54. UPDATE ON PROFFER TRACKING SYSTEM (TAPE 10)

Supervisor Hanley asked unanimous consent that the Board direct staff to provide an update on the proffer tracking system. Without objection, it was so ordered.

55. QUESTIONS REGARDING STEWART HOUSE (TAPE 10)

Supervisor Hanley stated that there is still some uncertainty regarding the preservation of Stewart House and whether this is actually the original house. She asked unanimous consent that the Board direct staff to explore the options in dealing with this problem and make a decision as expeditiously as possible because the house is still on a giant tract awaiting a final decision by the County. She stated that the Board needs to give some publicity to the issue so that the possibility of a public/private partnership might be explored. Supervisor Hanley further suggested that it might be appropriate to send all of this information to the History Commission and ask them for a recommendation. Without objection, it was so ordered.

56. WORDING OF COUNTY LETTER INFORMING A NEW CAR BUYER OF NEED FOR COUNTY DECAL (TAPE 10)

Supervisor Hanley noted with pleasure that the tone of the County letter which is distributed to new car buyers informing them of the need for purchasing a County decal has been somewhat softened.

57. CONDITION NUMBER SIX OF SPECIAL EXCEPTION APPLICATION SE 81-P-024 (TAPE 10)

Supervisor Hanley stated that Condition Number Six of Special Exception Application SE 81-P-024 indicates that landscaping and screening, according to Article 13 of the Zoning Ordinance, may be required at the discretion of the Director of the Department of Environmental Management (DEM). Noting complaints from citizens who about the YMCA property that the screening is inadequate, Supervisor Hanley asked unanimous consent that the Board direct DEM to review this condition and take the appropriate action. Without objection, it was so ordered.

58. REQUEST FOR ACCOUNTING OF THE HOUSING TRUST FUND (TAPE 10)

Supervisor Hanley asked unanimous consent that the Board direct staff to provide, prior to next Monday's work session (April 23) with the Fairfax County Redevelopment and Housing Authority (FCRHA), an accounting of the Housing Trust Fund, showing the present balance and how much money is owed to the fund. Without objection, it was so ordered.

59. NORTHERN VIRGINIA PLANNING DISTRICT COMMISSION
(NVPDC) PROPOSAL FOR REAPPORTIONMENT (TAPE 10)

Noting that the Board needs to make a decision regarding the Northern Virginia Planning District Commission (NVPDC) proposal for reapportionment, Supervisor Hanley asked unanimous consent that the Board direct staff to report with a Consideration Item on April 30, 1990 regarding this item. Without objection, it was so ordered.

60. ADMINISTRATIVE ITEMS (TAPE 11)

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

(NOTE: Later in the meeting, Supervisor McConnell asked unanimous consent to be recorded as voting "AYE" on the Administrative Items. See Clerk's Summary Item CL#62.)

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

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated April 16, 1990 be recommended for acceptance into the State Secondary System.

ADMIN 2 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING ORDERING IMPROVEMENTS AND SETTING
ASSESSMENTS IN PHASE II OF THE MEMORIAL HEIGHTS
COMMUNITY IMPROVEMENT PROGRAM (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on May 21, 1990 at 3:30 p.m. on the proposed adoption of a Resolution ordering improvements and setting assessments for Memorial Heights, Phase II, Mount Vernon District.

ADMIN 3 - AUTHORIZATION TO ADVERTISE PUBLIC
HEARINGS ON PROPOSED AMENDMENTS TO THE
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 104
(EROSION AND SEDIMENTATION CONTROL)

(BACs)

- (A) Authorized the advertisement of a public hearing to be held before the Planning Commission on May 10, 1990 and before the Board of Supervisors on May 21, 1990 at 3:30 p.m. on proposed amendments to the Code of the County of Fairfax, Chapter 104 (Erosion and Sedimentation Control), re-establishing the Erosion and Sediment Control Review Board (ESCRB), extending its sunset provision for two years, and making an editing revision.

ADMIN 4 - ADVERTISEMENT OF PUBLIC HEARING ON
THE PROPOSED COMPREHENSIVE PLAN REGARDING
THE PLANNING HORIZONS

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on June 25 and June 26, 1990 at 7:30 p.m. on the proposed changes to the Comprehensive Plan regarding The Fairfax Planning Horizons.

61. A-1 - VIRGINIA DEPARTMENT OF TRANSPORTATION
(VDOT) PROJECT FOR WIDENING OF CENTREVILLE ROAD
(ROUTE 657) FROM ROUTE 50 TO WEST OX ROAD
(ROUTE 608) (CENTREVILLE DISTRICT) (NO TAPE)

[NOTE: Earlier in the meeting during Board Matters action was taken to defer Board decision on Virginia Department of Transportation (VDOT) plans for widening Centreville Road from Route 50 to West Ox Road (Route 608) to allow additional time for staff to report with background information regarding the "who, why, and when" questions previously requested at the Board of Supervisors' meeting held on February 12, 1990. See Clerk's Summary Item CL#8.]

62. REQUEST TO RECORD VOTE ON ADMINISTRATIVE
ITEMS (TAPE 11)

(NOTE: Earlier in the meeting, action was taken to approve the Administrative Items. See Clerk's Summary Item CL#60.)

Supervisor McConnell asked unanimous consent to be recorded as voting "AYE" on the Administrative Items because she had not been present in the Board Room when action was taken. Without objection, it was so ordered.

63. A-2 - PREALLOCATION PUBLIC HEARING FOR
VIRGINIA DEPARTMENT OF TRANSPORTATION
(VDOT) INTERSTATE PRIMARY AND URBAN
FUNDS FOR FISCAL YEAR 1991 (COUNTYWIDE)
(TAPE 11)

[NOTE: Earlier in the meeting during Board Matters, in two separate sections, various actions were taken to direct staff to include in its testimony at the preallocation public hearing: 1) Board endorsement of the presentation by Thomas Bulger and Jeff Parker, Government Relations, Incorporated - See Clerk's Summary Item CL#5; and 2) Comments regarding the severe traffic backups that occur at the Interstate I-95 and Beltway interchange, urging urge VDOT to pay particular attention to this interchange - See Clerk's Summary Item CL#19.]

Supervisor Davis moved that the Board concur in the recommendation of staff and:

- Request that the Commonwealth Transportation Board (CTB) approve funding for the projects listed in Tables I and 2, Attachment I, contained in the Memorandum to the Board dated April 16, 1990, regarding the Virginia Department of Transportation (VDOT) Interstate Primary and Urban Funds for Fiscal Year (FY) 1991;
- Designate a Member of the Board or the staff to present the position of the Board to VDOT at the preallocation hearing, to be held on April 20, 1990 at 10:00 a.m. in the Council Chamber of the Fairfax City Hall; and
- Request CTB to:
 - * Develop as soon as possible an interim strategy for improving the capacity of I-66 through HOV lanes and widening. Such a strategy should be developed in recognition of the fact that funding necessary for the ultimate improvements to I-66 may not be available in the near future. Such a strategy, once agreed upon, will be critical to earmarking of federal funds in the near term for I-66 improvements; and
 - * Review its policies associated with allocation of Interstate and federal funds towards ensuring that the allocation of these funds through General Assembly approved formulas does not dilute or diminish the basis upon which the federal government allocates the funds to Virginia.

This motion was seconded by Supervisor Pennino.

Following discussion, Supervisor Richards moved that the motion be amended to add to Table Two (contained in the Board Package) entitled, "Projects in Priority Order to be Added to Six-Year Program," as Item 24 a project to build the missing ramp eastbound on Route 123 to the Dulles Connector. This motion was jointly seconded by Supervisor Hanley and Supervisor Hyland and carried by unanimous vote.

Following further discussion, Supervisor Hanley called to the Board's attention the fact that at the Board of Supervisors' meeting held on June 12, 1989, action was taken to identify the section between Cedar Lane and Interstate I-495 as the "highest priority." She stated that staff had not reflected this position in its recommendation and she asked that the motion be amended to reflect the Board's position as stated at its June 12, 1989 meeting. In addition, she stated that the project, as listed in the staff recommendation, starts at the wrong end and she further requested that the motion be amended to direct staff to reaffirm the Board's position that the project start in Merrifield, and this was accepted.

Supervisor Hanley further moved that the motion be amended to delete Item #17 (Table Two) Little River Turnpike (Route 236) to construct tandem left turn lanes at Prosperity Avenue, from the Priority List. This motion was seconded by Supervisor Davis.

Supervisor Bulova moved a substitute amendment to the amendment (Supervisor Hanley's) to the motion to leave Item #17 on the Priority List and to add an amendment for staff to conduct a traffic study, as expeditiously as possible, to confirm the necessity of the tandem left turn lanes at Prosperity Avenue. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

The question was then called on the main motion (staff recommendation), as amended (restated below for clarity purposes), which carried by unanimous vote.

The following amendments made to the main motion (staff recommendation) are restated below for clarity purposes:

- Supervisor Richards:

Add to Table Two (contained in the Board Package) entitled, "Projects in Priority Order to be Added to Six-Year Program," as Item 24 a project to build the missing ramp eastbound on Route 123 to the Dulles Connector;

- Supervisor Hanley:

Reflect the Board's position stated at its meeting held on June 12, 1989 to identify the section between Cedar Lane and Interstate I-495 as the "highest priority," and reaffirm the Board's position that the project start in Merrifield; and

- Supervisor Bulova:

Add an amendment to Item #17 (Table Two) Little River Turnpike (Route 236) to construct tandem left turn lanes at Prosperity Avenue to direct staff to conduct a traffic study, as expeditiously as possible, to confirm the necessity of the tandem left turn lanes at Prosperity Avenue.

64. A-3 - VAN DORN STREET METRORAIL STATION:
FAIRFAX CONNECTOR BUS SERVICE RECOMMENDATIONS
AND REQUEST FOR ADDITIONAL FAIRFAX CONNECTOR
BUSES (LEE, MOUNT VERNON AND SPRINGFIELD
DISTRICTS) (TAPE 11)

(FPR)

(SAR) On motion of Supervisor Alexander, seconded by Supervisor McConnell, and carried by unanimous vote, the Board concurred in the recommendation of staff and took the following actions:

- Approved the staff recommendations regarding FAIRFAX CONNECTOR bus service associated with the opening of the Van Dorn Street Metrorail Station in the Spring of 1991, as described in Attachment One of the Memorandum to the Board, dated April 16, 1990;
- Approved the purchase of seven additional buses for the FAIRFAX CONNECTOR system to meet anticipated needs associated with existing services; and
- Approved Supplemental Appropriation Resolution AS 90040 (Attachment II) of the Memorandum to the Board and Fiscal Planning Resolution AS 90904 (Attachment III) to transfer funds from Subfund 469, Metro Operations and Construction to Subfund 103, County Transit Systems to fund the seven additional buses mentioned above.

There was a brief discussion regarding this item.

65. A-4 - DENSITY CREDIT FOR ADVANCE DEDICATION OF LAND FOR PUBLIC PURPOSES (ROUTE 7 AND SUGARLAND ROAD) (DRANESVILLE DISTRICT) (TAPE 11)

(DC)

(R) On motion of Supervisor Richards, seconded by Supervisor Pennino, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved density credit for approximately 1.1066 acres of Parcels 6-3((1))33 and 33A which are to be dedicated for public use for public street purposes for Route 7 and Sugarland Road, Dranesville District.

66. A-5 - AREA AGENCY ON AGING SUBMISSION OF A DISCRETIONARY GRANT APPLICATION TO THE FEDERAL ADMINISTRATION ON AGING TO EXPAND OLDER WORKER EMPLOYMENT PROGRAMS (TAPE 11)

On motion of Supervisor Pennino, seconded by Supervisor Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the submission of a Discretionary Grant Application by the Area Agency on Aging (AAA) to the Federal Administration on Aging for \$75,000 in federal funds to develop a model pilot program which would be a public/private partnership to train and place in private sector positions, low income older adults who have significant barriers to employment.

67. A-6 - AUTHORIZATION TO SUBMIT PROGRAM DESCRIPTION TO HOUSING AND URBAN DEVELOPMENT (HUD) FOR FISCAL YEAR (FY) 1990 RENTAL REHABILITATION PROGRAM AND EXECUTE A MEMORANDUM OF UNDERSTANDING (COUNTYWIDE) (TAPE 11)

On motion of Supervisor Hyland, seconded by Supervisor Pennino, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Board of Supervisors to submit to the United States Department of Housing and Urban Development (HUD) the Program Description for the Federal Fiscal Year (FY) 1990 Rental Rehabilitation Program and to execute the Memorandum of Understanding between the County and the Fairfax County Redevelopment and Housing Authority (FCRHA) for the administration of Section 8 certificates and vouchers in conjunction with the Rental Rehabilitation Program.

68. A-7 - APPROVAL OF SUPPLEMENTAL APPROPRIATION OF FUNDS AND THE RENOVATION OF THE OLD MCLEAN VOLUNTEER FIRE STATION BY THE MCLEAN COMMUNITY CENTER FOR USE AS A TEMPORARY TEEN CENTER (DRANESVILLE DISTRICT) (TAPE 11)

(SAR) On motion of Supervisor McConnell, seconded by Supervisor Richards, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution AS 90042 in

the amount of \$250,000 to Subfund 185, McLean Community Center, for renovation of the Old McLean Volunteer Station for use as a temporary teen center.

69. A-8 - APPROVAL OF THE 1990 SCHEDULE AND THE REVIEW COMMITTEE MEMBERS FOR THE EXCEPTIONAL DESIGN AWARDS PROGRAM (TAPE 11)

(BACs)

On motion of Supervisor Hyland, seconded by Supervisor Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the implementation schedule and the Review Committee Members for the 1990 Exceptional Design Awards Program as follows:

- The 1990 schedule has been set with the following major dates:

June 6 - Awards Entry Deadline
June 20 - Design Review Committee Selects Winners
June 25 - Notification of Winners
October 29 - Awards Ceremony

- The Office of Comprehensive Planning has worked with the organizations identified in the awards program to provide nominations for a panel of jurors to serve on the Review Committee. The nominees are:

Fairfax County Architectural Review Board:

Mr. James V. Allred, AIA;

Northern Virginia Chapter of the American Institute of Architects:

Ms. Susan Woodward Notkins, AIA;
Mr. Alan L. Hansen, AIA;

Potomac Chapter of the American Society of Landscape Architects:

Mr. Rodney P. Mercer, ASLA;

Fairfax County Chamber of Commerce:

Mr. Robert W. Davis, AIA; and

Fairfax County History Commission:

Ms. Abbie Edwards.

Following approval of the schedule and Review Committee, the Office of Comprehensive Planning will work with the Office of Public Affairs to notify the general public, development community and professional organizations of the awards program.

70. A-9 - PROFFER INTERPRETATION APPEAL APPLICATIONS FILED BY MARY ROSE GREENE AND ROBERT K. AND KEITH L. THOMPSON (SPRINGFIELD DISTRICT) (TAPE 11)

(Legal)

On motion of Supervisor McConnell, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and DID NOT accept the two proffer appeal applications filed by Mary Rose Greene and Robert K. and Keith L. Thompson, Springfield District.

71. A-10 - BOARD ADOPTION OF EMERGENCY AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), SECTIONS 4-14-3, 4-15-6 AND 4-16-6, RELATING TO APPLICATIONS FOR TAX EXEMPTION (TAPE 11)

(EO)

- (A) On motion of Supervisor Hyland and seconded by Supervisor McConnell, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Adopted, on an emergency basis, the proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance) Sections 4-14-3, 4-15-6 and 4-16-6 to delete the requirement that all disabled applicants for tax relief must obtain certifications from two medical doctors who are licensed to practice in Virginia; and
- Authorized the advertisement of a public hearing to be held before the Board of Supervisors on June 4, 1990 at 3:30 p.m. to adopt the emergency amendment, on a

permanent basis, to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), governing applications for tax exemption.

Supervisor Hyland moved that the Board **RECONSIDER** its previous motion to adopt, on an emergency basis, the proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance) Sections 4-14-3, 4-15-6 and 4-16-6. This motion was seconded Supervisor Pennino and carried by unanimous vote.

Supervisor Hyland moved that the Board:

- Concur in the recommendation of staff and adopt, on an emergency basis, the proposed amendments to the Code of the County of Fairfax, Chapter 4, (Taxation and Finance) Sections 4-14-3, 4-15-6 and 4-16-6 to delete the requirement that all disabled applicants for tax relief must obtain certifications from two medical doctors who are licensed to practice in Virginia, with the following modification:

Amend Paragraph Two [last line of the text on Page A-10(g)] by inserting after the word "that," the phrase "an emergency exists and...", to read as follows:

"That an emergency exists and these amendments shall become effective upon passage."

- Authorize the advertisement of a public hearing to be held before the Board of Supervisors on June 4, 1990 at 3:30 p.m. to adopt the emergency amendment, on a permanent basis, to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), governing applications for tax exemption.

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

Supervisor Hyland asked unanimous consent that the Board direct staff to notify representatives of Disabled Veterans that this ordinance had been adopted on an emergency basis and that individuals may now use military physicians to file exemption forms. Without objection, it was so ordered.

72. A-11 - AUTHORIZATION TO APPLY TO THE VIRGINIA DEPARTMENT OF HEALTH FOR CONTINUATION OF GRANT FOR SEXUAL ASSAULT TREATMENT AND PREVENTION (TAPE 11)

On motion of Supervisor McConnell, seconded by Supervisor Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Community Services Board (CSB) to apply for a grant of \$19,775 from the Virginia Department of Health in the Fairfax Victim Assistance Network (VAN) at the Mount Vernon Health System to continue the funding of the grant for sexual assault treatment and prevention.

73. A-12 - REQUEST FOR COMMENTS FROM THE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG) ON A PROPOSAL TO CREATE A JOINT TASK FORCE ON GROWTH AND TRANSPORTATION IN THE WASHINGTON METROPOLITAN REGION (TAPE 11)

On motion of Supervisor Davis, (the second to this motion was inaudible), and carried by a vote of eight, Supervisor Richards abstaining, the Board concurred in the recommendation of staff and authorized staff to forward to the Metropolitan Washington Council of Governments (COG) the letter containing Board comments supporting the creation of a Task Force on Growth and Transportation at COG.

74. C-1- RECOMMENDATIONS OF THE BOARD AND THE PLANNING COMMISSION APPOINTEES TO STUDY EFFECTS OF HOUSE BILL #721 AND SENATE BILL #170 (NO TAPE)

(NOTE: Earlier in the meeting during Board Matters, action was taken on this item. See Clerk's Summary CL#23.)

75. I-1 - AUTHORIZATION TO PROCEED WITH LAND ACQUISITION FOR THE FAIRFAX COUNTY PARKWAY (COUNTYWIDE) (TAPE 11)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 16, 1990, requesting authorization for staff to submit a letter to the Virginia Department of Transportation (VDOT) asking that VDOT maintain its commitment to meet its land acquisition and construction schedules previously developed (as shown in Attachment I of the Memorandum), and authorization for County

staff to proceed with the activities necessary for initiation of land acquisition on the two segments of the Fairfax County Parkway (Route 7 - Dulles Toll Road; and Route 123 - Hooes Road/Pohick Road.)

The staff was directed administratively to proceed as proposed.

76. I-2 - PARTICIPATION IN VIRGINIA DEPARTMENT
OF TRANSPORTATION (VDOT) REVENUE SHARING
ROAD CONSTRUCTION PROGRAM FOR FISCAL YEAR 1991
(COUNTYWIDE) (TAPE 11)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 16, 1990 requesting authorization for staff to inform the Virginia Department of Transportation (VDOT) of the County's intent to again participate in the VDOT Revenue Sharing Road Construction Program for Fiscal Year 1991 (Countywide).

The staff was directed administratively to proceed as proposed.

77. I-3 - TRANSPORTATION ADVISORY COMMISSION
RECOMMENDATIONS REGARDING CENTREVILLE ROAD
(CENTREVILLE DISTRICT) (TAPE 11)

The Board next considered an Information Item contained in Attachment I of the Memorandum to the Board dated April 16, 1990 outlining the recommendations approved by the Transportation Advisory Commission regarding the proposed widening of Centreville Road, Centreville District.

(NOTE: Action was taken earlier in the meeting regarding the widening of Centreville Road. See Clerk's Summary Item CL#8.)

78. I-4 - STATUS REPORT ON TRANSIT CENTER/TIMED
TRANSFER DEMONSTRATION PROJECT IN RESTON
(CENTREVILLE DISTRICT) (TAPE 11)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 16, 1990 presenting the status report on the transit center/timed transfer demonstration project in Reston, Centreville District. The four major changes in the revised proposal are as follows:

- Deletion of Metrobus Route 5S from south Reston no longer be considered. There are no changes to the Metrobus system included in the revised proposal;

- The time allotted for each of the three proposed RIBS bus loops would be 35 minutes rather than the 30 minutes originally planned. This change would accommodate minor changes in the RIBS routes proposed and would more accurately reflect prevailing traffic conditions. The proposed routes are shown in Attachment I of the Memorandum to the Board;
- Midday express service would be operated between Reston Town Center, the transit center and West Falls Church Metrorail Station. This midday express service would operate every 35 minutes to allow timed transfer with the three RIBS routes. It is proposed that this service be jointly funded by Fairfax County and Reston Town Center Associates. The latter has committed funding to a maximum of \$50,000, representing approximately one-half of the cost of providing the service (Attachment II); and
- Implementation of the proposed service would be delayed from June 1990 to October 1990 to coincide with the opening of the Reston Town Center.

79. I-5 - APPLICABILITY OF THE BUSINESS,
PROFESSIONAL AND OCCUPATIONAL LICENSE (BPOL)
TAX TO CONDOMINIUM AND HOMEOWNERS ASSOCIATIONS
(TAPE 11)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 16, 1990 presenting the applicability of the Business, Professional and Occupational License (BPOL) tax to condominium and homeowners associations.

At the Board of Supervisors meeting held on March 12, 1990, the Board directed staff to research the Fairfax County BPOL Ordinance as it pertains to condominium and homeowner associations in the County. As a result, staff has determined that these two groups are exempt from the BPOL tax to the extent that they fall within the exclusions provided by the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Sections 4-7-1(a)(2) and 4-7-1(a)(3).

80. I-6 - IMPLEMENTATION OF THE AFFORDABLE
DWELLING UNIT (ADU) ORDINANCE (TAPE 11)

(BACs)

- (A) The Board next considered an Information Item contained in the Memorandum to the Board dated April 16, 1990 regarding the implementation of the Affordable Dwelling Unit (ADU) Ordinance. Staff was directed to take the following actions:

- Preparation of Zoning Ordinance Amendments

As referenced in Section 2-805 of the adopted ADU Ordinance, amendments to the Zoning Ordinance are required in order to accommodate the ADU bonus density provisions. These amendments to the zoning district regulations will affect such aspects as unit type, open space, lot sizes and bulk regulations. In order to adopt such amendments by July 31, 1990, the following schedule must be followed:

April - May Preparation of amendments with assistance from AHOME, community and industry;

June 4, 1990 Board of Supervisors' authorization to advertise;

June 28, 1990 Planning Commission public hearing;

July 9, 1990 Board of Supervisors' public hearing.

- Preparation of ADU Ordinance Amendments

The State legislation approving the ADU Ordinance includes two conditions described above. The County Attorney's office advises that the ADU ordinance should be amended to conform to these requirements. Since these provisions are part of the State legislation, the requirement in Section 2-819 of the ADU ordinance for General Assembly approval of any amendments during the first five years after the effective date of the ordinance has been met.

These amendments will be considered concurrently with the other Zoning Ordinance amendments described above.

- Development of Affordable Dwelling Unit Specifications

Section 2-809 requires that the FCRHA develop specifications for the prototype affordable units. These prototypes are to be reviewed and approved by the Affordable Dwelling Unit Advisory Board (ADUAB) before they become effective. The prototypes are a key element which the County Executive will use to establish sales prices for ADUs. In setting sales prices, the County Executive is to determine all ordinary, reasonable and necessary costs required for private industry to construct the ADU prototypes. Since sales prices and rents should be established when the ordinance takes effect, the prototypes must be developed as soon as possible.

The Department of Housing and Community Development (HCD) has met with representatives from the Montgomery County, Maryland Moderately Priced Dwelling Unit program, which was the model for the ADU ordinance, and has begun to develop unit prototypes. Prototypes are being developed for various types of housing, including single family detached units, single family attached units and multifamily units. The proposed schedule calls for the prototypes to be presented to the FCRHA for information at the April 26, 1990 meeting, followed by a comment period per the ordinance, with final approval in May.

- Establishment of Sales Prices and Rents for ADUs

The ordinance calls for the County Executive to establish sales prices for various types of ADUs based on the prototypes described above. The prices are to be set after considering written

comments from the public, the FCRHA and the ADUAB. Rents for ADUs, other than for non-elevator multiple family (garden apartments) units, are to be set by the County Executive on the same basis. Rents for garden apartments are to be set in accord with a formula set out in the ordinance.

The proposed schedule calls for the County Executive to issue proposed sales prices and rents for comment in June with final prices and rents presented to the Board for information at the August 6, 1990 meeting. Thereafter, they will be reviewed, and possibly adjusted, semi-annually.

- Appointment of Affordable Dwelling Unit Advisory Board (ADUAB)

As noted previously, the ADUAB is to review and approve the ADU prototypes which are to be used in setting sales prices and rents before they are established by the County Executive. If these key actions are to occur prior to the July 31, 1990 effective date of the ordinance, the Advisory Board should be appointed at the next Board of Supervisors' meeting on April 23, 1990.

The main function of the ADUAB is to hear and make final determinations or grant requests for modifications concerning the application of the ordinance. However, it may not modify the ADU adjuster (the ratio of bonus units to ADUs), the unit specifications or the sales or rental prices.

The composition of the ADUAB as specified in the ordinance is nine members, as follows:

- A. Two members shall be either civil engineers and/or architects, each of whom shall be registered or certified with the relevant agency of the Commonwealth, or planners, all of whom shall have extensive experience in practice in Fairfax County.

- B. One member shall be a representative of a lending institution which finances residential development in Fairfax County.
- C. Four members shall consist of:
 - (1) A representative from the Fairfax County Department of Housing and Community Development.
 - (2) A residential builder with extensive experience in producing single family detached and attached dwelling units.
 - (3) A residential builder with extensive experience in producing multiple family dwelling units.
 - (4) A representative from either the Fairfax County Department of Environmental Management or the Office of Comprehensive Planning.
- D. One member shall be a representative of a non-profit housing group which provides services in Fairfax County.
- E. One member shall be a citizen of Fairfax County.
- F. At least four members shall be employed in the private sector.

The members are to be appointed to four year terms, with the initial terms staggered so that four members are appointed to four year terms, three to three year terms and two to two year terms. The members should be active in residential development in the County and familiar with other County ordinances, regulations and practices relating to residential development.

Unless the ADUAB is appointed by the end of April, it will not be possible to establish unit prototypes, rents and sales prices in conformance with the requirements of the ordinance by the end of July. Even then, the schedule will be very tight and will not permit extended periods for comment.

- Appointment of a Multi-Family High Rise Elevator Rental Apartment and Condominium Commission

The legislation adopted by the General Assembly approving the Fairfax County ADU ordinance exempts structures of four or more stories with an elevator and calls for the creation of this Commission to be chaired by the Chairman of the Board of Supervisors' Housing Subcommittee. The Commission is to include representation from the private sector and high rise apartment and condominium developers. Its task is to work with the Board and the FCRHA to develop a plan to include high rise rental and Condominium developments within the affordable housing program. Any proposed ordinance changes would need to be submitted for the 1991 General Assembly session.

Exemption of these high rise developments, although far from ideal, should not result in a dramatic loss to the program during the first year, given current trends in the construction market. However, the Commission should be appointed by the Board in the near future so that any ordinance amendments can be adopted by the end of the year subject to approval in the 1991 General Assembly session.

It should be noted that there are many other steps that need to be taken by the FCRHA which is charged with setting income limits for the ADU program and regulating the sale, re-sale and rental of ADUs. It is anticipated that the FCRHA will initially issue income limits in July, 1990. Other procedures and program documents will be developed later in 1990 since they will not be required until the

first units are ready for sale or rent. The first ADUs will result from site plans or subdivision plats filed after July 31, 1990 which are subject to the ordinance. Allowing the permitted 280 days for processing and time to initiate construction, it is anticipated that the first units offered would be available sometime during calendar year 1991.

Supervisor Davis asked unanimous consent that the Board direct staff to inform industry representatives that appointments to the ADUAB will be made on April 30, 1990 and that resumes should be submitted to the Board for consideration in a timely manner. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

81. I-7 - INITIATION OF NEW PROCUREMENT PROCESS FOR THE PRIVATE OPERATOR CONTRACT ASSOCIATED WITH THE FAIRFAX CONNECTOR BUS SYSTEM (LEE, MOUNT VERNON AND SPRINGFIELD DISTRICTS) (TAPE 11)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 16, 1990 requesting authorization to initiate a new procurement process for the private operator contract associated with the FAIRFAX CONNECTOR bus system in Lee, Mount Vernon and Springfield Districts. The new contract will cover operation of the FAIRFAX CONNECTOR system beginning on September 29, 1990.

The staff was directed administratively to proceed as proposed.

(NOTE: Later in the meeting, additional action was taken to direct staff to keep Supervisor Alexander briefed and up-to-date on this issue. See Clerk's Summary Item CL#84.)

82. I-8 - TERMINATION OF THE MEMORANDUM OF UNDERSTANDING FOR THE REVIEW OF DEVELOPMENT PLANS BETWEEN FAIRFAX COUNTY AND THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) (TAPE 11)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 16, 1990 requesting authorization to proceed with termination of the Memorandum of Understanding between Fairfax County and the Virginia Department of Transportation (VDOT) for review of development plans in accordance with applicable provisions of the memorandum.

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

83. I-9 - STAFF RESPONSE TO BOARD OF SUPERVISORS' JANUARY 22, 1990 RECYCLING MOTIONS AND DIRECTION CONCERNING 25 PERCENT RECYCLING BY FISCAL YEAR (FY) 1992 (TAPE 11)

[NOTE: Earlier in the meeting during Board Matters additional actions were taken on this item. See Clerk's Summary CL#46.]

The Board next considered an Information Item contained in the Memorandum to the Board dated April 16, 1990 requesting authorization for staff to proceed with the County Executive's advertised budget plan now projected to achieve a 25 percent recycling rate by the end of Fiscal Year (FY) 1993 and to accelerate the program in FY 1991 by making an adjustment to the currently advertised budget through the Add On package.

Supervisor Hanley asked unanimous consent that the Board direct staff to extract the policy decisions from the staff recommendations and report to the Board in the form of a Consideration Item for action on these matters. Without objection, it was so ordered.

84. ADDITIONAL ACTION REGARDING I-7 - INITIATION OF NEW PROCUREMENT PROCESS FOR THE PRIVATE OPERATOR CONTRACT ASSOCIATED WITH THE FAIRFAX CONNECTOR BUS SYSTEM (LEE, MOUNT VERNON AND SPRINGFIELD DISTRICTS) (TAPE 11)

(NOTE: Earlier in the meeting, action was taken to initiate a new procurement process for the private operator contract associated with the FAIRFAX CONNECTOR bus system in Lee, Mount Vernon and Springfield Districts. The new contract will cover operation of the FAIRFAX CONNECTOR system beginning on September 29, 1990. See Clerk's Summary Item CL#81.)

Supervisor Alexander asked unanimous consent that the Board direct staff to keep him briefed and up-to-date on this issue. Without objection, it was ordered.

85. I-10 - THE SIXTH ANNUAL REPORT OF THE UPPER HOLMES RUN ENVIRONMENTAL MONITORING ADVISORY COMMITTEE (UHREMAC) TO THE BOARD OF SUPERVISORS (PROVIDENCE AND MASON DISTRICTS) (TAPE 11)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 16, 1990 requesting authorization for staff to:

- Accept the Sixth Annual Report of the Upper Holmes Run Environmental Monitoring Advisory Committee (UHREMAC); and

- Continue the efforts of the UHREMAC for the upcoming year.

The staff was directed administratively to proceed as proposed.

86. I-11 - GRANDEATHERING OF TRADESMEN REGULATED UNDER THE VIRGINIA TRADESMEN CERTIFICATION STANDARDS ISSUED BY THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (TAPE 11)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 16, 1990 requesting authorization for staff to continue informing representatives of the industry of the status of all amendments pertaining to the State certification requirements of tradesmen and advising them of the appropriate procedures for commenting on any proposed changes.

The staff was directed administratively to proceed as proposed.

87. I-12 - GUIDELINES AND PROCEDURES FOR THE INSTALLATION OF "CHILDREN AT PLAY" SIGNS (COUNTYWIDE) (TAPE 11)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 16, 1990 presenting the guidelines and procedures for the installation of "Children at Play" signs (Countywide).

88. I-13 - COMPUTER DONATION (TAPE 11)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 16, 1990 requesting authorization for staff to accept the donation of an IBM-XT computer and keyboard from Contel Federal Systems to the Chantilly Fire and Rescue Station.

The staff was directed administratively to proceed as proposed.

89. I-14 - ARCHITECTURAL CONTRACT AWARD TO HELBING LIPP, LIMITED, FOR THE DESIGN OF A NEW BEGINNING AND DUAL DIAGNOSIS PROJECTS (SPRINGFIELD DISTRICT) (TAPE 11)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 16, 1990 requesting authorization for staff to award an architectural contract to Helbing Lipp, Limited, Vienna, Virginia, in the amount of \$467,389 for:

- A New Beginning Facility, Project 888001, Subfund 471, County Bond Construction, consisting of approximately 31,000 square feet of new construction; and
- Dual Diagnosis Facility, Project 888002, Subfund 471, County Bond Construction, consisting of approximately 9,800 square feet of new and renovated construction.

The staff was directed administratively to proceed as proposed.

90. I-15 - AMENDMENT TO PROVIDE A PROGRAMMING AND SCHEMATIC DESIGN STUDY FOR ADDITIONAL PHASES TO THE JUVENILE DETENTION CENTER EXPANSION II, THE CHRONIC OFFENDERS RESIDENCE AND THE JUVENILE HALFWAY HOUSE (CENTRAL COUNTY COMPLEX) (TAPE 11)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 16, 1990 requesting authorization for staff to award an amendment to the contract with Leo A. Daly Company in the amount of \$100,682 to provide a programming and schematic design study for additional phases to the Juvenile Detention Center Expansion II, the Chronic Offenders Residence, and the Juvenile Halfway House (Central County Complex). Funds are currently appropriated in Project 89A003, Juvenile Detention Center Expansion II, to award this contract.

The staff was directed administratively to proceed as proposed.

91. I-16 - APPROVAL OF ENGINEERING CONTRACT WITH DAMES AND MOORE FOR A SOIL STABILITY STUDY OF COTTONWOOD DRIVE AND THORNWOOD DRIVE (LEE DISTRICT) (TAPE 11)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 16, 1990 requesting authorization for staff to award an engineering contract to Dames and Moore in the amount of \$42,024 to provide a soil stability study of Cottonwood Drive and Thornwood Drive, Lee District. Funds are currently available in Subfund 4468, Project A00002, Emergency Watershed Improvements, to award this contract.

The staff was directed administratively to proceed as proposed.

There was a brief discussion on this item.

92. I-17 - CONTRACT AWARD - DEVONSHIRE TOWNHOMES,
DEVELOPER DEFAULT (LEE DISTRICT) (TAPE 11)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 16, 1990 requesting authorization for staff to award a contract to Rock Hard Excavating, Incorporated, in the amount of \$157,495 for a construction project in Devonshire Townhomes, Developer Default, (Contract Number CN68772) Project U00006, Developer Defaults, in Subfund 468, Public Works Construction, Lee District.

Supervisor Alexander asked unanimous consent that the Board direct staff to define the timeframe on this contract and that penalties be placed in the contract for going beyond the time necessary to complete this project. Without objection, it was so ordered.

93. I-18 - CONTRACT AWARD - NEW ALEXANDRIA NEIGHBORHOOD
IMPROVEMENTS (MOUNT VERNON DISTRICT) (TAPE 11)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 16, 1990 requesting authorization for staff to award a contract to Miller Industries as outlined in the Board Package for improvements in the New Alexandria neighborhood, Mount Vernon District.

The staff was directed administratively to proceed as proposed.

94. I-19 - CONTRACT AWARD - FAIRFAX COUNTY JUVENILE
HOLDING FACILITY (CITY OF FAIRFAX) (TAPE 11)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 16, 1990 requesting authorization for staff to:

- Award a contract to Keystone Builders, Incorporated, in the amount of \$492,984 for construction of a Juvenile Holding Facility, City of Fairfax in Project 008019, Juvenile Holding Area; and
- Reallocate funds in the amount of \$113,993 to Project CG0046, Contingency Subfund 461, to fund possible shortfalls in other projects within this Subfund.

The staff was directed administratively to proceed as proposed.

95. I-20 - CONTRACT AWARD - SHERWOOD REGIONAL LIBRARY
EXPANSION AND RENOVATION, COUNTY CONSTRUCTION
(MOUNT VERNON DISTRICT) (TAPE 11)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 16, 1990 requesting authorization for staff to:

- Award a contract to Skaggs Construction Company, Incorporated, in the amount of \$2,047,100 for the expansion and renovation of the Sherwood Regional Library, Project 004833 in Subfund 460, Library Construction; and
- Reallocate funds in the amount of \$398,500 to Project 004822, Library Contingency, to fund possible shortfalls in other projects within this Subfund.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTER

96. APPOINTMENT TO THE ENVIRONMENTAL SUBCOMMITTEE
OF THE BOARD (TAPE 11)

Chairman Moore asked unanimous consent that the Board designate Supervisor Hyland as the Chairman of the Environmental Subcommittee of the Board. Without objection, it was so ordered.

97. RECESS/EXECUTIVE SESSION (TAPES 11-12*)

(NOTE: Due to a audio system malfunction, Tape 12 is blank. The meeting resumes after Board recess on Tape 13.)

At 4:05 p.m., Supervisor Davis moved that the Board recess and go into Executive Session for discussion of matters set forth in the Agenda, as well as for discussion of actual and potential litigation and other legal and personnel matters concerning:

- Board of Zoning Appeal Case Number A 89-D-017; and
- Chapter 30 of the Code of the County of Fairfax County.

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

SBE:SBE

At 4:55 p.m., the Board reconvened in the Board Room with all Members being present, and with Chairman Moore presiding.

98. ACTIONS FROM EXECUTIVE SESSION (TAPE 13)

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

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

B. THE BOARD OF SUPERVISORS, THE DIRECTOR
OF ENVIRONMENTAL MANAGEMENT (DEM), AND
THE ZONING ADMINISTRATOR APPEAL THE
BOARD OF ZONING APPEALS (BZA)
DECISION IN CASE #A 89-D-017

Supervisor Richards moved that the Board of Supervisors join the Director of Environmental Management (DEM) and the Zoning Administrator in appealing the decision of the Board of Zoning Appeals (BZA) in Case #A 89-D-017 as recommended by the County Attorney in Executive Session. This motion was seconded jointly by Supervisor Davis and Supervisor Hyland and carried by unanimous vote.

C. RATIFICATION OF SETTLEMENT OF
USHA RANI SHARMA VERSUS JEFFREY
TAYLOR PALMER - C.A. NO. 89-1731-A

Supervisor Pennino moved that the Board ratify the settlement of Usha Rani Sharma versus Jeffrey Taylor Palmer, C.A. No. 89-1731-A, according to terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

[NOTE: Later in the meeting, there were additional actions from Executive Session. See Clerk's Summary Item CL#118(D) and (E).]

99. 4:00 P.M. - PH ON REZONING APPLICATION RZ 89-D-057
(THE ESQUIRE GROUP, LIMITED PARTNERSHIP NUMBER II
A VIRGINIA LIMITED PARTNERSHIP) (DRANESVILLE DISTRICT)
(TAPE 13)

In accordance with the Board's action taken earlier in the meeting regarding proffered rezonings, Supervisor Richards moved to defer the public hearing on Rezoning Application RZ 89-D-057 until June 25, 1990 at 4:30 p.m. This motion was seconded by Supervisor Davis and carried by unanimous vote.

(NOTE: Earlier in the meeting, various actions were taken regarding the interim recommendations of the Task Force of the Board and Planning Commission Members appointed to study the effects of House Bill #721 and Senate Bill #170. See Clerk's Summary Item CL#23.)

100. 4:00 P.M. - PH ON REZONING APPLICATION RZ 89-S-029
(BENNIE H. POTTER, JR.) (SPRINGFIELD DISTRICT)
(TAPE 13)

Supervisor McConnell moved to defer the public hearing on Rezoning Application RZ 89-S-029 until June 25, 1990 at 4:00 p.m. This motion was seconded by Supervisor Davis and carried by unanimous vote.

101. 5:00 P.M. - PH ON REZONING APPLICATION RZ 89-L-020
(LAYNE DEVELOPMENT CORPORATION) (LEE DISTRICT)
(TAPE 13)

Supervisor Alexander announced his intent, at the appropriate time later in the meeting, to defer the public hearing on Rezoning Application RZ 89-L-020.

(NOTE: Later in the meeting, action was taken to defer the public hearing on Rezoning Application RZ 89-L-020 until June 25, 1990 at 5:00 p.m. See Clerk's Summary Item CL#116.)

102. 5:00 P.M. - PH ON REZONING APPLICATION RZ 89-P-012
(DAKOTA DEVELOPMENT) (PROVIDENCE DISTRICT)
(TAPE 13)

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

(NOTE: Later in the meeting, action was taken to defer the public hearing on Rezoning Application RZ 89-P-012 until June 25, 1990 at 5:00 p.m. See Clerk's Summary Item CL#115.)

103. ADDITIONAL COMMENTS REGARDING RECOMMENDATIONS OF THE BOARD AND THE PLANNING COMMISSION APPOINTEES TO STUDY EFFECTS OF HOUSE BILL #721 AND SENATE BILL #170 (TAPE 13)

Chairman Moore announced that earlier in the meeting, various actions were taken regarding the interim recommendations of the Task Force of the Board and Planning Commission Members appointed to study the effects of House Bill #721 and Senate Bill #170. She stated that one of the recommendations had been that the Board of Supervisors defer all zoning cases with proffers attached to allow additional time to address concerns with the development community.

(NOTE: See Clerk's Summary Item CL#23 for the actions taken regarding these issues.)

104. 3:30 P.M. - PH AND ADOPTION OF AMENDMENT #1 TO THE GUM SPRINGS CONSERVATION PLAN AND THE GUM SPRINGS REDEVELOPMENT PLAN (MOUNT VERNON DISTRICT) (TAPE 13)

- (R) Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that said notice of public hearing had been duly advertised in those Newspapers in the issues of March 30 and April 6, 1990.

Following the public hearing, which included testimony by two speakers, Supervisor Hyland asked staff to address the concerns of the Gum Springs community.

Bruce A. LaVal, Director, Division of Community Development, Department of Housing and Community Development, responded that staff could draft the following language to revise Page Nine of the Redevelopment Plan to address the concerns:

- The Gum Springs Redevelopment Plan should be amended at Section IV. Undertakings of a Redevelopment Plan, Part B. Types of Undertakings Proposed, Number 1. Acquisition of Land, by adding a sentence at the end of the paragraph to read:

"No existing residential property improved at the time of adoption of this Plan or existing institutional uses are to be acquired under this Plan."

Supervisor Hyland moved that the Board adopt the Resolution adopting an amendment to the Gum Springs Conservation Plan and the Gum Springs Redevelopment Plan as modified to include the above-stated language. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Alexander and Supervisor Davis being out of the room.

105. 3:30 P.M. - PH ON THE PROPOSED CHANGE BY THE ELECTORAL BOARD IN POLLING PLACE OF BREN MAR PRECINCT (LEE DISTRICT) (TAPE 13)

- (A) Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that said notice of public hearing had been duly advertised in those Newspapers in the issues of March 30 and April 6, 1990.

Following the public hearing, Supervisor Alexander moved that the Board authorize the following proposed temporary change in Polling Place:

PRECINCT NAME	SERVICE DISTRICT	POLLING PLACE	ACTION
Bren Mar Precinct	Lee	From Bren Mar Park Elem. School TO Columbia Baptist Church at Bren Mar, 6200 Indian Run Parkway, Alexandria, Virginia	Temporary Change In Polling Place

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

106. 3:30 P.M. - PH ON THE PROPOSED CHANGE BY THE ELECTORAL BOARD IN POLLING PLACE OF WOODYARD PRECINCT (SPRINGFIELD DISTRICT) (TAPE 13)

- (A) Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that said notice of public hearing had been duly advertised in those Newspapers in the issues of March 30 and April 6, 1990.

Following the public hearing, Supervisor McConnell moved that the Board authorize the following proposed change in Polling Place:

PRECINCT NAME	SERVICE DISTRICT	POLLING PLACE	ACTION
Woodyard Precinct	Springfield	Cherry Run Elem. School TO Silverbrook Elem. School 9350 Crosspointe Drive, Fairfax Station, Virginia	Change In Polling Place

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

107. 3:30 P.M. - PH TO ESTABLISH AN ABSENTEE VOTING
SATELLITE LOCATION (SPRINGFIELD DISTRICT) (TAPE 13)

- (A) Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that said notice of public hearing had been duly advertised in those Newspapers in the issues of March 30 and April 6, 1990.

Following the public hearing, Supervisor McConnell moved that the Board authorize the following proposed establishment of an absentee voting satellite location:

Centreville Branch Office of Springfield District
5900 Centreville Road
Centreville, Virginia

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

108. 3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE
OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING
ORDINANCE), CHAPTER 101 (SUBDIVISION ORDINANCE),
CHAPTER 104 (EROSION AND SEDIMENTATION CONTROL
ORDINANCE) AND THE PUBLIC FACILITIES MANUAL (PFM)
REGARDING TREE COVER REQUIREMENTS (TAPE 13)

- (Os) Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that said notice of public hearing had been duly advertised in those Newspapers in the issues of March 30 and April 6, 1990.

Following the public hearing, which included testimony by four speakers, Supervisor Richards moved adoption of the following proposed amendments to add provisions for tree cover requirements:

● Code of the County of Fairfax:

- * Chapter 112 (Zoning Ordinance),
to amend Articles 3, 4, 5, 13,
17, and 20;
- * Chapter 101 (Subdivision
Ordinance), to amend Articles 2
and 3;

- * Chapter 104 (Erosion and Sedimentation Control Ordinance), to amend Article 1; and

- Public Facilities Manual, to amend Articles 2, 12, and 13 Appendix A12.

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

109. 4:00 P.M. - PH ON REZONING APPLICATION RZ 89-S-029
(BENNIE H. POTTER, TR.) (SPRINGFIELD DISTRICT)
(NO TAPE)

(NOTE: Earlier in the meeting, action was taken to defer the public hearing on Rezoning Application RZ 89-S-029 until June 25, 1990 at 4:00 p.m. See Clerk's Summary Item CL#100.)

110. 4:00 P.M. - PH ON REZONING APPLICATION RZ 89-D-057
(THE ESQUIRE GROUP, LIMITED PARTNERSHIP NUMBER II,
A VIRGINIA LIMITED PARTNERSHIP) (DRANESVILLE DISTRICT)
(NO TAPE)

(NOTE: Earlier in the meeting, action was taken to defer the public hearing on Rezoning Application RZ 89-D-057 until June 25, 1990 at 4:30 p.m. See Clerk's Summary Item CL#99.)

111. 4:30 P.M. - PH 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) (TAPE 13)

- (R) Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that said notice of public hearing had been duly advertised in those Newspapers in the issues of March 30 and April 6, 1990.

Following the public hearing, Supervisor Alexander moved that the Board adopt the Resolution authorizing the acquisition of the dedication necessary for the construction of County Road Bond Project 006486, South Van Dorn Street from Bent Willow Drive North to the Interstate I-95 Ramp, Lee District, to include "quick take" procedures, if necessary. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Pennino being out of the room.

112. 4:30 P.M. - PH ON THE ACQUISITION OF CERTAIN EASEMENTS AND DEDICATIONS NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD BOND PROJECT - WEST OX ROAD (SPRINGFIELD AND PROVIDENCE DISTRICTS) (TAPES 13-14)

- (R) Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that said notice of public hearing had been duly advertised in those Newspapers in the issues of March 30 and April 6, 1990.

Following the public hearing, which included testimony by one speaker, discussion ensued among Board Members and staff, with input from George A. Symanski, Senior Assistant County Attorney, regarding why condemnation proceedings may be necessary on land already proffered to the County.

Supervisor McConnell asked unanimous consent that the Board direct staff to notify Board Members of situations where condemnation proceedings may become necessary to acquire land already proffered to the County. Without objection, it was so ordered.

Supervisor McConnell moved that the Board adopt the Resolution authorizing the acquisition of certain easements and dedications necessary for the construction of County Road Bond Project 006489, West Ox Road, Springfield and Providence Districts. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Alexander and Supervisor Pennino being out of the room.

113. 5:00 P.M. - PH ON THE ACQUISITION OF CERTAIN DEDICATIONS AND EASEMENTS NECESSARY FOR THE CONSTRUCTION OF THE IMPROVEMENT OF THE INTERSECTION AT LINCOLNIA ROAD AND BRADDOCK ROAD (MASON DISTRICT) (TAPE 14)

- (R) Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that said notice of public hearing had been duly advertised in those Newspapers in the issues of March 30 and April 6, 1990.

Following the public hearing, which included testimony by two speakers, Supervisor Davis stated that staff would schedule separate meetings with both speakers: Mr. Warren Eanes and Mr. Stelios Tsanteseach, to discuss the project and address their concerns.

Supervisor Davis moved that the Board adopt the Resolution authorizing the acquisition of certain easements and dedications necessary for the construction of the improvement of the intersection at Lincolnia Road and Braddock Road, Mason District. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Alexander, Supervisor Hanley, Supervisor McConnell, and Supervisor Pennino being out of the room.

114. 5:00 P.M. - PH ON THE PROPOSED VACATION OF A THREE
FOOT WIDE PORTION OF "H" STREET (ROUTE 1506)
(MOUNT VERNON DISTRICT) (TAPE 14)

- (0) Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that said notice of public hearing had been duly advertised in those Newspapers in the issues of March 30 and April 6, 1990.

Following the public hearing, Supervisor Hyland moved that the Board adopt the Ordinance vacating a three-foot wide portion of "H" Street (Route 1506) located within the New Alexandria Subdivision, Mount Vernon District. This motion was seconded by Supervisor Bulova and carried by a vote of five, Supervisor Alexander, Supervisor Hanley, Supervisor McConnell, and Supervisor Pennino being out of the room.

115. 5:00 P.M. - PH ON REZONING APPLICATION RZ 89-P-012
(DAKOTA DEVELOPMENT) (PROVIDENCE DISTRICT)
(TAPE 14)

On behalf of Supervisor Hanley, Supervisor Davis moved to defer the public hearing on Rezoning Application RZ 89-P-012 until June 25, 1990 at 5:00 p.m. This motion was seconded by Supervisor Bulova and carried by a vote of five, Supervisor Alexander, Supervisor Hanley, Supervisor McConnell, and Supervisor Pennino being out of the room.

116. 5:00 P.M. - PH ON REZONING APPLICATION RZ 89-L-020
(LAYNE DEVELOPMENT CORPORATION) (LEE DISTRICT)
(TAPE 14)

On behalf of Supervisor Alexander, Supervisor Bulova moved to defer the public hearing on Rezoning Application RZ 89-L-020 until June 25, 1990 at 5:00 p.m. This motion was seconded by Supervisor Davis and carried by a vote of five, Supervisor Alexander, Supervisor Hanley, Supervisor McConnell, and Supervisor Pennino being out of the room.

117. EXECUTIVE SESSION (TAPE 14)

At 6:30 p.m., the Board recessed briefly.

DL:DL

At 7:20 p.m., the Board reconvened in the Board Room with all Members being present with the exception of Supervisor Pennino, and with Chairman Moore presiding.

118. ACTIONS FROM EXECUTIVE SESSION (TAPE 15)D. CERTIFICATION BY BOARD MEMBERS
REGARDING ITEMS DISCUSSED IN
EXECUTIVE SESSION

[NOTE: Earlier in the meeting, there were additional Actions from Executive Session. See Clerk's Summary Item CL#98(A), (B), and (C).]

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 eight, Supervisor Pennino being out of the room.

E. SETTLEMENT OF IN CHANCERY NOS. 109341
AND 114503, GEORGETOWN PIKE CORNER
PARTNERSHIP ET AL, VERSUS THE BOARD
OF SUPERVISORS; IN CHANCERY NOS. 109342
AND 114504, SENECA PLACE LIMITED
PARTNERSHIP VERSUS THE BOARD OF
SUPERVISORS; IN CHANCERY NOS. 102534,
103721, AND 114458, CHANG ET AL,
VERSUS THE BOARD OF SUPERVISORS

In accordance with the terms outlined by the County Attorney in Executive Session, Supervisor Richards moved that the Board authorize settlement of:

- In Chancery Nos. 109341 and 114503, Georgetown Pike Corner Partnership et al, versus the Board of Supervisors;
- In Chancery Nos. 109342 and 114504, Seneca Place Limited Partnership versus the Board of Supervisors; and
- In Chancery Nos. 102534, 103721, and 114458, Chang et al, versus the Board of Supervisors.

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

Supervisor Richards expressed her appreciation to Dr. George T. Chang, President, United Medical Supply; Souhail Abirafeh, President, General Investment and Development Corporation; J. Hamilton Lambert, County Executive; Karen Harwood, Assistant County Attorney; and all other individuals who have been involved in the two year effort to resolve this very difficult case.

119. BOARD RECESS (TAPE 16)

At 7:25 p.m. the Board recessed briefly and, at 7:30 p.m., reconvened in the Board Room with all Members being present with the exception of Supervisor Alexander, Supervisor Hanley, and Supervisor Pennino, and with Chairman Moore presiding.

120. 7:30 P.M. - PUBLIC HEARINGS ON: THE PROPOSED ADOPTION OF THE COUNTY EXECUTIVE'S FISCAL YEAR (FY) 1991 ADVERTISED BUDGET PLAN AND THE COUNTY SCHOOLS' FY 1990 THIRD QUARTER REVIEW; PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), ARTICLE 6 (UTILITY TAX), SECTIONS 4-6-1 AND 4-6-2 TO RAISE THE LIMIT AND THE RATE FOR THE COMMERCIAL UTILITY TAX; AND PROPOSED AMENDMENT TO CHAPTER 67 (SANITARY SEWERS AND SEWAGE DISPOSAL), SECTIONS 67-4-2 TO ENACT THESE RATES (TAPES 16-20)

(NOTE: The public hearings on the above-stated issues commence on Monday, April 16, 1990, and are continued until April 17, 18, and 21, 1990. Board decision on these issues have been scheduled for Monday, April 30, 1990.)

Certificates of Publication were filed from the Editors of the Journal, Northern Virginia Sun, and the Washington Post showing that said notice of the public hearings had been duly advertised in those Newspapers in the issues of:

- Proposed Consumer Utility Tax Increase: Journal and Post, March 23 and March 30, 1990;
- Proposed Sewer Charge Increase: Journal and Post, March 23 and March 30, 1990;

- Proposed Tax Increase: Journal and Post, March 30, 1990;
- Proposed Budget: Journal and Post, March 30, 1990;
- Brief Form: Journal and Sun, March 30 and April 6, 1990; and
- Third Quarter Review: Journal and Post, April 6, 1990.

Supervisor Davis asked unanimous consent that Mr. Frederick Dykes (Speaker Number 15), Representative, Citizens On Sensible Taxation (COST), be given additional time to present testimony. Without objection, it was so ordered.

Following the testimony of Mr. William Wheaton (Speaker Number 48), Supervisor Pennino asked unanimous consent that the Board direct staff to forward to the School Administration staff a copy of Mr. Wheaton's testimony. Without objection, this was so ordered.

Following the testimony of Ms. Dorothy Tella (Speaker Number 63), Supervisor Richards asked unanimous consent that the Board direct staff to review Ms. Tella's testimony and report its findings. Without objection, this was so ordered.

The public hearing was held with 58 speakers presenting testimony.

121. BOARD RECESS (TAPE 20)

At 11:30 p.m., the Board recessed until Tuesday, April 17, 1990, at 2:50 p.m. for the following:

- Various public hearings as advertised;
- Continuation of public hearings on:
 - A) The proposed adoption of the County Executive's FY 1991 Advertised Budget Plan and the County Schools' FY 1990 Third Quarter Review;
 - B) Proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 6 (Utility Tax), Sections 4-6-1 and 4-6-2 to raise the limit and the rate for the commercial utility tax; and

- C) Proposed amendment to Chapter 67
(Sanitary Sewers and Sewage
Disposal), Sections 67-4-2 to enact
these rates.