



Board Package

CLERK'S BOARD SUMMARY

REPORT OF ACTIONS

OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

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

MONDAY

APRIL 30, 1990

13-90

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The meeting was called to order at 10:00 a.m. with all members being present, with the exception of Supervisor Davis and Supervisor McConnell, and with Chairman Moore presiding.

Supervisor McConnell arrived at 10:05 a.m.

Supervisor Davis 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; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

(NOTE: Viki L. Lester, Deputy Clerk to the Board of Supervisors, was absent from the entire meeting.)

2. PROCLAMATION DESIGNATING MAY 1990 AS "OLDER AMERICANS MONTH" (Tape 1)

Supervisor Pennino moved approval of the presentation of the Proclamation, presented to Dr. Craig M. Crenshaw, Chairman, Commission on Aging, and Ms. Gerri Evans, Chairman, Fairfax County Senior Citizens Council, proclaiming May 1990 as "OLDER AMERICANS MONTH" in Fairfax County, and calling upon all citizens to honor elders during the year, and to continue to improve the programs which contribute to the health, welfare and contentment of older citizens. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Richards being out of the room, Supervisor Davis and Supervisor McConnell not yet having arrived.

3. PROCLAMATION DESIGNATING MAY 12 - JUNE 17, 1990 AS
"SAFE BOATING AND COURTESY MARINE EXAMINATION
MONTH" (TAPE 1)

Supervisor Pennino moved approval of the presentation of the Proclamation, presented to Monroe G. Chew, Vessel Examination Officer; Nabil Rushdi, and Caroline Quinn, all representing the United States Coast Guard Auxiliary, proclaiming May 12 - June 17, 1990 as "Safe Boating and Courtesy Marine Examination Month" in Fairfax County, and urging all County residents who participate in this form of recreation to observe safe boating practices, and to partake of the Coast Guard Auxiliary's generous contributions of time and effort to ensure maximum safety. This motion was jointly seconded by Supervisor Hyland and Supervisor McConnell and carried by a vote of six, Supervisor Alexander and Supervisor Hanley being out of the room, Supervisor Davis not yet having arrived.

4. PROCLAMATION DESIGNATING MAY 1990 AS "PHYSICAL
FITNESS AND SPORTS MONTH" (TAPE 1)

Supervisor Pennino moved approval of the presentation of the Proclamation, presented to Dick Berryhill, Chairman, Fairfax County Athletic Council, and Cindy Walsh, Division Manager of Programming, Park Authority, proclaiming May 1990 as "Physical Fitness and Sports Month" in Fairfax County, and encouraging citizens of all ages to participate in sports and physical fitness activities offered by the Department of Recreation and Community Services, the Park Authority, and the many other public and private health and fitness clubs and parks in the County. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Davis not yet having arrived.

5. 10:00 A.M. - PRESENTATION OF THE "FRIENDS
OF TREES" AWARDS BY THE FAIRFAX COUNTY
TREE COMMISSION (TAPE 1)

Ms. Phyllis S. Verhalen, Chairman, Fairfax County Tree Commission, presented the "Friends of Trees" Awards to the following:

- Ayr Hill Garden Club, Vienna, Virginia;
- Nancy Miller, Communications Officer,
Herndon Tree Action Committee, Herndon,
Virginia; and
- Curtis Clinton, "Tree Man of Reston,
Virginia".

6. 10:15 A.M. - PRESENTATION BY THE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG) ON PHASE II VAPOR RECOVERY/PROPOSED CLEAN AIR ACT OF 1990 (TAPES 1-2)

Following the presentation by Walter A. Scheiber, Executive Director, Metropolitan Washington Council of Governments (COG), and Travis Markle, Assistant Director of Environmental Programs, COG, on the Phase II Vapor Recovery/Proposed Clean Air Act of 1990, Supervisor Pennino asked unanimous consent that this matter be referred to the Board's Environmental Subcommittee for its recommendations regarding a plan of action for the Board of Supervisors and the business community to follow.

Chairman Moore relinquished the Chair to Acting-Chairman Alexander and asked that the request be amended to include:

- An arrangement by staff for Board Members to visit a service station which is equipped with the vapor recovery nozzle which can be demonstrated; and
- Communication with other jurisdictions in Northern Virginia who are using this nozzle, requesting their comments.

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

Acting-Chairman Alexander returned the gavel to Chairman Moore.

Supervisor Hyland, Chairman of the Environmental Subcommittee, asked unanimous consent that the Board extend invitations to the gasoline station industry for their direct input and recommendations with regard to the changes and costs that would be necessary in order to retrofit the service stations throughout Northern Virginia with the vapor recovery nozzles. In addition, Supervisor Hyland stated that it was his intent to return to the Board within 60 days with the comments and recommendations of the Environmental Subcommittee. Without objection, it was so ordered.

Supervisor Richards asked unanimous consent that the Board direct staff to return as expeditiously as possible with an estimate of the cost of installing these vapor recovery nozzles at the Governmental Center in McLean. Without objection, it was so ordered.

7. 10:30 A.M. - BOARD ADOPTION OF THE FISCAL YEAR (FY) 1991 APPROVED BUDGET PLAN (TAPES 2-3)

- (Rs) Supervisor Hyland, referring to the third paragraph on handwritten Page Two of the County Executive's Memorandum to the Board, Subject: Adoption of the FY 1991 Adopted Budget Plan, dated April 30, 1990, asked

unanimous consent that the wording ".....and the refuse disposal rate will increase from \$24 per ton to \$40 per ton", be corrected to reflect the Board's action and read as follows: ".....and the refuse disposal rate will increase from \$24 per ton to \$43 per ton." Without objection, it was so ordered.

Supervisor Bulova asked unanimous consent that the Board direct staff to change the tax rate for "Research and Development" on handwritten Page 17 of the Memorandum from \$0.01 to reflect the correct rate of \$4.57. Without objection, it was so ordered.

Supervisor Hanley referred to handwritten Page Eight of the Memorandum and asked unanimous consent that the word, "Contributions...." in the second General Fund and General Fund Supported Agencies area, be changed to read "Contributories.....". Without objection, it was so ordered.

8. RECESS (TAPE 2)

At 11:15 a.m., the Board recessed briefly, and reconvened in the Board Room at 11:25 a.m., with all Board Members being present and with Chairman Moore presiding.

9. 10:30 A.M. - BOARD ADOPTION OF THE FISCAL YEAR (FY) 1991 APPROVED BUDGET PLAN (TAPES 2-3)

As a point of clarification, Supervisor Bulova referred to her motion of April 23, 1990, setting a separate Consumer Utility Tax rate of 4.5 percent on interruptible commercial gas users. She stated that her intent was to include a cap or ceiling such that this class of users would pay a tax no greater than that levied on all other commercial gas users. This ceiling is \$6,667 and, given a tax rate of 4.5 percent, would result in a maximum monthly tax of \$300, an amount equivalent to the maximum that could be paid by other commercial gas users, i.e. 10 percent X \$3,000 = \$300. Supervisor Bulova further stated that this change has been included in the amendments to the Consumer Utility Tax Ordinance.

Supervisor Bulova moved approval of the Fiscal Year (FY) 1991 Resolution Adopting Tax Rates for FY 1991, which includes a real estate tax rate of \$1.11 per \$100 of assessed value and amendments to the Fairfax County Code Consumer Utility Tax and Sanitary Sewers and Sewage Disposal Ordinances as detailed in Attachment I of the Memorandum to the Board. This motion was seconded by Supervisor Pennino.

Supervisor Richards moved to amend the motion to include Board approval of reducing the Sanitary District Levy for Local District 1A Dranesville (McLean Community Center) from \$0.03 to \$0.027 and direct staff to revise the computer program necessary to implement this change. This motion was seconded by Supervisor Davis and carried by unanimous vote.

The question was then called on the main motion, and as amended, carried by a recorded vote of six, Supervisor Davis, Supervisor McConnell and Chairman Moore voting "NAY".

Supervisor Bulova moved approval of the FY 1991 Appropriations Resolutions for County agencies and School Board agencies as included respectively in Attachments II and III of the Memorandum to the Board. This motion was seconded by Supervisor Pennino.

Supervisor Davis asked unanimous consent that the Board vote seriatim on the two separate items contained in the above motion. Without objection, it was so ordered.

Chairman Moore restated the motions before the Board as follows:

- The question was called on the motion for approval of the FY 1991 Appropriation Resolutions for County Agencies, which carried by a recorded vote of six, Supervisor Davis, Supervisor McConnell and Chairman Moore voting "NAY"; and
- The question was called on the motion for approval of the FY 1991 Appropriation Resolutions for School Board agencies which carried by a recorded unanimous vote.

Supervisor Bulova moved approval of the Fiscal Year (FY) 1991 Fiscal Planning Resolution as reflected in Attachment IV of the Memorandum. This motion was seconded by Supervisor Pennino and carried by a recorded vote of six, Supervisor Davis, Supervisor McConnell and Chairman Moore voting "NAY".

10. 10:45 A.M. - BOARD DECISION ON THE FAIRFAX COUNTY
CAPITAL IMPROVEMENT PROGRAM, FISCAL YEARS 1991-1995
(NO TAPE)

(NOTE: The Board Decision on the Fairfax County Capital Improvement Program has been deferred.)

CM:CM

11. APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES,
COMMISSIONS AND ADVISORY GROUPS (TAPE 4)

AFFORDABLE DWELLING UNIT ADVISORY BOARD

(NOTE: The appointments to the Affordable Dwelling Unit Advisory Board (ADUAB) were deferred.)

AGRICULTURAL AND FORESTAL DISTRICTS ADVISORY COMMITTEE

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

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARDCONFIRMATION:

Supervisor Pennino moved that the Board confirm the following appointment to the Alcohol Safety Action Program Local Policy (ASAP) Board:

- Mr. Robert Gore as the Mothers Against Drunk Driving (MADD) Representative.

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

ATHLETIC COUNCIL

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

Supervisor McConnell moved the reappointment of Mr. Theodore Moriak as the Springfield District Representative to the Athletic Council. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

CONFIRMATION:

Supervisor Alexander moved that the Board confirm the following appointment to the Athletic Council:

- Mr. Barry A. Schneiderman as the Town of Clifton Representative.

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

BOARD OF BUILDING CODE APPEALS - HOUSING HYGIENE DIVISION

(NOTE: The appointment of the At-Large Representative to the Board of Building Code Appeals - Housing Hygiene Division was deferred.)

BOARD OF BUILDING CODE APPEALS - TECHNICAL DIVISION

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

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS

(NOTE: The appointment of the At-Large (Builder) Representative to the Board of Equalization of Real Estate Assessments was deferred.)

Following discussion, Supervisor Davis asked unanimous consent that the Board direct staff to contact the Northern Virginia Builders Industry Association (NVBIA) to request names of individuals who may be interested in serving on the Board of Equalization. Without objection, it was so ordered.

CITIZENS BUDGET OVERVIEW COMMITTEE

CONFIRMATION:

Supervisor Hanley moved that the Board confirm the following appointment to the Citizens Budget Overview Committee:

- Ms. Carolyn Manchester as the American Association of University Women Representative.

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

COMMISSION FOR DISABLED PERSONS

Supervisor McConnell moved the appointment of Mr. Kenwood Harris as the Springfield District Representative to the Commission for Disabled Persons. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

COMMISSION ON AGING

Supervisor Pennino moved the reappointment of Ms. Thea Johnson as the Centreville District Representative to the Commission on Aging. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

Supervisor Davis moved the reappointment of Mr. William Clay as the Mason District Representative to the Commission on Aging. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Alexander moved the reappointment of Ms. Dorothea Morris as the Lee District Representative to the Commission on Aging. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

Supervisor Hyland moved the reappointment of Ms. Gertrude L. Wright as the Mount Vernon District Representative to the Commission on Aging. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

COMMUNITY ACTION ADVISORY BOARD

(NOTE: The appointments of the Annandale and the Springfield District Representatives to the Community Action Advisory Board were deferred.)

CONFIRMATION:

Supervisor Hanley moved that the Board confirm the following appointment to the Community Action Advisory Board:

- Mr. James C. Tso as the United Way Representative.

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

COUNTYWIDE TRAILS COMMITTEE

(NOTE: The appointment of the At-Large Representative to the Countywide Trails Committee was deferred.)

CONFIRMATION:

Supervisor Davis moved that the Board confirm the following appointment to the Countywide Trails Committee:

- Ms. Trish Bunn as the Washington Area Bicyclists Association Representative.

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

CRIMINAL JUSTICE ADVISORY BOARDCONFIRMATIONS:

Supervisor Davis moved that the Board confirm the following appointments to the Criminal Justice Advisory Board:

- Mr. Charles Wight as the Community Ministry Citizen Representative;
- Mr. Donald Grant, Esq. as the National Association for the Advancement of Colored People (NAACP) Principal Representative; and
- Mr. Joshua Thomas as the National Association for the Advancement of Colored People (NAACP) Alternate Representative.

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

ELECTRICAL ADVISORY AND LICENSING BOARD

(NOTE: The appointment of the At-Large (Professional Engineer) Representative to the Electrical Advisory and Licensing Board was deferred.)

FAIRFAX COUNTY AIRPORTS ADVISORY COMMITTEE

(NOTE: The appointment of the Dranesville (Business District) Representative to the Fairfax County Airports Advisory Committee was deferred.)

CONFIRMATION:

Supervisor Pennino moved that the Board confirm the following appointment to the Fairfax County Airports Advisory Committee:

- Mr. David Bobzien as the Planning Commission Representative.

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

GROUP RESIDENTIAL FACILITIES COMMISSION

(NOTE: The appointment of the Providence District Representative to the Group Residential Facilities Commission was deferred.)

HISTORY COMMISSION

Supervisor McConnell moved the appointment of Ms. Suzanne Rehder as the At-Large (Citizen) Representative to the History Commission. This motion was seconded by Supervisor Davis and carried by unanimous vote.

JUVENILE COURT CITIZEN ADVISORY COUNCIL

(NOTE: The appointments to the Juvenile Court Citizen Advisory Council were deferred.)

LIBRARY BOARD

Supervisor Alexander moved the reappointment of Mr. Vincent F. Kashuda as the Lee District Representative to the Library Board. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

MECHANICAL ADVISORY AND LICENSING BOARD

(NOTE: The appointment of the Master Mechanic Representative to the Mechanical Advisory and Licensing Board was deferred.)

PROJECT SELECTION COMMITTEE

(NOTE: The appointments of the Zion Drive Community and the Dranesville District Representatives to the Project Selection Committee were deferred.)

Supervisor Davis moved the appointment of Ms. Jane Nichols Nash as the Mason District Representative to the Project Selection Committee. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

REDEVELOPMENT AND HOUSING AUTHORITY

Supervisor Davis moved the reappointment of Ms. Patricia Goddard as the Mason District Representative to the Redevelopment and Housing Authority. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

TRANSPORTATION ADVISORY COMMISSION

Supervisor McConnell moved the appointment of Mr. Norman P. Byers as the permanent Springfield District Representative to the Transportation Advisory Commission. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

AD-HOCSCITIZENS COMMITTEE ON SOLID WASTE AND DISPOSAL MATTERS

(NOTE: The appointment of the At-Large Representative to the Citizens Committee on Solid Waste and Disposal Matters was deferred.)

CONFIRMATION:

Supervisor Hanley moved that the Board confirm the following appointment to the Citizen Committee on Solid Waste and Disposal Matters:

- Mr. David Peterson as the Fairfax County School Board Representative.

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

FAIRFAX COUNTY PUBLIC SAFETY FACILITY ADVISORY COMMITTEE (PSAC)

(NOTE: The appointment of the At-Large Representative to the Fairfax County Public Safety Facility Advisory Committee was deferred.)

EROSION AND SEDIMENT CONTROL REVIEW BOARD

Supervisor Bulova moved the appointment of Mr. Robert Steeves as the At-Large (Citizen/Resident) (Principal) Representative. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

12. CHRISTMAS IN APRIL (TAPE 5)

Chairman Moore announced that she had attended a Christmas in April Program in which the RPJ Housing Group was preparing to assist individuals "fix-up" their homes. She suggested that the Board become involved in a similar project next year.

13. TRANSPORTATION ISSUES (TAPE 5)

Chairman Moore stated that she had attended a meeting regarding the airport's position that before an easement can be given for the extension of the Dulles Toll Road there must be an agreement that the monies that would come in as surplus would be utilized for local needs and rail. She said that there was no resolution of this issue.

Chairman Moore said that the problem of the private versus the public extension of the road is that there is a deadline early in May with the State Corporation Commission (SCC) and if the State constructs the road, there will not be any surpluses.

Chairman Moore stated that she also attended a meeting with Shiva Pant, Director, Office of Transportation, to present the County's position with regard to obtaining funds for I-66.

14. RESOLUTION TO COMMEMORATE THE CONTRIBUTIONS OF PULLER A. HUGHES, JR., TO THE IMPROVEMENT OF THE POHICK CREEK WATERSHED AND THE ENVIRONMENT OF FAIRFAX COUNTY (TAPE 5)

Chairman Moore announced that Puller A. Hughes, Jr., Past Executive Director, and longtime associate of the Northern Virginia Soil and Water Conservation District passed away on March 16, 1990.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and moved adoption of a Resolution commemorating the contributions of Mr. Hughes to the improvement of the Pohick Creek Watershed and the environment of Fairfax County. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Davis being out of the room.

15. 1990 COMPLETE COUNT CENSUS COMMITTEE (TAPE 5)

(APPT)

Supervisor Moore stated that Marta Wyatt, Chairman of the 1990 Complete Count Census Committee had contacted her regarding the expansion of the Committee to include representation from the Organization of Chinese-Americans. Therefore, Supervisor Moore moved that the Board:

- Expand the membership of the 1990 Complete Count Census Committee to include a representative from the Organization of Chinese-Americans; and
- Confirm the appointment of Ms. Daphne Kwok, as the representative of the Organization of Chinese-Americans.

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

16. CONGRATULATIONS TO SUPERVISOR JOSEPH ALEXANDER
(TAPE 5)

Supervisor Moore expressed her congratulations to Supervisor Alexander for his efforts to secure a new "staging" lot for the Springfield underground.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

17. UNDERGROUND PARKING LOT (TAPE 5)

Supervisor Alexander referred to an underground parking lot in the Springfield area. He said that improper signs posted in the area have been removed by his staff and that his office has been working very hard over the past few weeks regarding the issue.

18. JEFFERSON MANOR CIVIC ASSOCIATION (TAPE 5)

Supervisor Alexander stated that Jefferson Manor has expressed an interest in becoming a conservation area. He said that the Civic Association wanted to upgrade the public facilities, particularly the roads and storm drainage as well as initiate a program to maintain and improve existing housing stock.

Therefore, Supervisor Alexander moved that the Board direct the Fairfax County Redevelopment and Housing Authority to survey the existing conditions at Jefferson Manor to determine if the area may be eligible for conservation in accordance with Title 36 of the Code of Virginia of 1950, as amended. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Davis being out of the room.

Supervisor Alexander also moved that the Board direct staff to include the Jefferson Manor Community in the Capital Improvement Program (CIP) as a future conservation area under the Community Development Program element. He said that while there are not specific dollar amounts, he wanted to document the capital improvement needs. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Davis being out of the room.

Supervisor Alexander further stated that by the second quarter of 1992, eight Community Improvement projects approved by the Board as well as four conservation areas will need construction funding in order to be completed. He said that Jefferson Manor should be added, bringing the total to five conservation areas to be considered for inclusion in the CIP. He added that the Board should consider a Fiscal Year (FY) 92 bond referendum or some other interim funding source to ensure that the Board's commitment to improve these neighborhoods is fulfilled.

19. SIMULTANEOUS PROCESSING FOR KINGSTOWNE,
SECTION SIX (TAPE 5)

Supervisor Alexander moved that the Board direct staff to simultaneously process the Preliminary Plan for the Site Plan for Kingstowne, Section Six. This will allow a very important project within Kingstowne to proceed on a more timely basis. The applicant understands that this neither provides him with a vested right of a plan approval or relieves him from the responsibility of any plan modification as a result of Board review. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Davis being out of the room.

20. SOUTH COUNTY HOUSING COALITION INCORPORATED -
AFFORDABLE HOUSING FEE WAIVERS (TAPE 5)

Supervisor Alexander moved that the Board direct staff to waive the fees to process the rezoning and special exception requests by the South County Coalition, Incorporated, at 3424 Lockheed Boulevard, and that the application be expedited. He added that the South County Coalition, Incorporated, is a nonprofit organization which is providing affordable housing units in the Lee/Mount Vernon/Springfield Districts. He said that the Coalition wants to rezone the property and construct eight, three bedroom townhouses for low/moderate income families. He noted that the applicant had the support of the Hybla Valley and Groveton Civic Associations. This motion was seconded by Supervisor Pennino.

Following a query from Supervisor Hanley, J. Hamilton Lambert, County Executive, stated that in other cases the Board has waived all fees and in some cases has required the fees to be paid, but to be reimbursed at a later date.

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

21. VISITING NURSE ASSOCIATION OF NORTHERN VIRGINIA
(TAPE 5)

Supervisor Alexander stated that there is a group called the Visiting Nurse Association of Northern Virginia which is a volunteer group that assists individuals in need at no charge. He pointed out that there is a similar group in the Health Department but there is a charge for the service. He asked unanimous consent that the Board direct staff to provide information concerning the Visiting Nurse Association of Northern Virginia so that they could be recognized for the services that they provide. Without objection, it was so ordered.

22. RESIDENTIAL REAL ESTATE TAX RELIEF
(TAPES 5-6)

(VERBATIM)

Supervisor Hyland stated that he has been increasingly concerned about the effect of dramatically rising real estate assessments and the hardship this has caused the homeowners in Fairfax County, particularly in Mount Vernon District. He said that it is necessary to find a way to control the amount of increase in assessments so that the residential homeowner is not paying a disproportionate share of County revenues. He said that even stating an "average" real estate tax increase, it still hits all of those homeowners whose assessments have gone out of sight.

Supervisor Hyland said that he has requested Paul Smith, Supervisor of Assessments, to provide him with data concerning sources, percentages and dollar amounts of revenue from residential real estate.

Supervisor Hyland further stated that he has requested Fred Suffa, a long-time homeowner in Mount Vernon District and an individual who has been involved in the area of real estate assessments and taxation through his appointment to the Board of Equalization and his service on the Citizens Budget Overview Committee (CBOC), to provide him with some ideas on this issue.

Supervisor Hyland said that Mr. Suffa's letter concludes that the assessment increases are principally due to rapidly rising land values which have not become apparent because the assessor's division of total valuations between land and improvements has understated the land portion. He said that homeowners can have some control over the value of their home by exercising discretion over home improvements they initiate, but they have no control over land values which are affected by other factors such as market conditions, availability of public transportation, proximity of workplace, etcetera.

Supervisor Hyland stated that the proposed solution is a real estate classification system that permits the application of a separate lower tax rate for the land used for the principal residence versus unimproved property and commercial and industrial property. He added that the amount of the increase in the value of improvements could be limited to changes in construction costs, thus ensuring that land valuations keep pace with changes in the market.

Supervisor Hyland said that at last week's budget hearings, the Mount Vernon Council's testimony provided evidence that the burden of financing County government is increasingly being placed upon residential real estate. He said that the Council's calculations indicate that during this fiscal year, residential property owners were paying a higher proportion of total local revenue than in 1987, even though the County Executive estimates that the value of commercial and industrial real estate increased from 24 percent to 27 percent of the total real estate tax base. However, the County Executive's estimates also show that nearly all of this increase occurred in 1988 and 1989.

Therefore, Supervisor Hyland moved that the Board:

- Consider a freeze of assessments in January 1991 by reassessing property other than every year;
- Direct staff to conduct an analysis of the effect of establishing different rates of tax on various classifications of property and to demonstrate the impact on revenue within a range of equity and fairness among taxpayers; and
- Direct staff to provide the analysis within 30 days which includes recommendations as to how the the problem of giving relief to those property owners whose "jumps in assessment defy reality".

This motion was seconded by Supervisor Davis and he moved that the motion be amended to include directing the County Executive or County Attorney to write to the Attorney General to obtain an opinion regarding the rights of Fairfax County in this area and this was accepted.

Supervisor Hanley stated that the commercial assessments are not rising as rapidly as the residential assessments and she asked that the motion be amended to include directing staff to determine if a freeze would cause a serious penalty on those individuals whose assessments are declining rapidly and this was accepted.

Following considerable discussion, the question was called on the motion, as amended, which carried by unanimous vote.

23. RECOGNITION OF PEOPLE FOR EARTH DAY PROJECTS
(TAPE 6)

Supervisor Hyland stated that as part of his second annual "Earth Day" celebration a number of Lorton constituents participated in planting 37 trees along Old Colchester Road and cleaning a section of Pohick Creek. He said that they collected approximately 15 bags of trash along with car fenders, and tires from tractor trailer trucks. He expressed his appreciation to Allen Hogge, Director, Lower Potomac Pollution Control Facility and Ron Choffery, Building and Grounds Supervisor, for disposing of the trash and assisting the citizens.

Supervisor Hyland said that it is with much pride that he recognizes other County staff who not only helped make the Lorton Earth Day a success but other Fairfax County Earth Day projects a success and went beyond the bounds of their daily duties. He said that the Annandale Volunteer Fire and Rescue Squad stayed all day at Americana Park to care

for those injuries which usually occur; Leonard Gunsior and Snap Shifflett who made it possible to use the park; and John Childress who willingly supplied hundreds of tall trash bags.

Supervisor Hyland said that trees were received from Cindy Zimar, Urban Forester, and Diane Hoffman, Administrative Secretary of the Northern Virginia Soil and Water Conservation District. He said that all 33,000 tree seedlings planted throughout the County this past weekend came from the Virginia Forestry Department and Northern Virginia Soil and Water Conservation District. Thirteen thousand scotch pines and erosion shrubs were purchased from the Virginia Department of Forestry with Fairfax County funds. He said that Ralph Taylor of the Woodlands Division of Union Camp Corporation located in Franklin, Virginia provided 15,000 Loblolly Pines and 5,000 hardwoods. He added that under the direction of Mike Wagner, Associate Director of the Soil and Conservation Corporation and an at large member of the Boy Scouts, Troop 698 of the Mount Vernon District Boy Scouts and Scott Tie, as part of his Eagle project, bundled the 33,000 seedlings for Fairfax County residents. He said that Mike Spetalieri, Manager, Magruder's Grocery Store, Hybla Valley, provided bags for the seedlings.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to invite these individuals to appear before the Board for recognition of their participation and commitment which made "Earth Day" a mighty success. Without objection, it was so ordered.

24. RE-LEAF PROGRAM FOR FAIRFAX COUNTY (TAPE 6)

Supervisor Hyland said that the stress of urbanization is placing an ever increasing strain on the forest resources in Fairfax County. He noted that the public depends heavily on these resources to enhance the environment in which we live. He said that in the wake of urban expansion, it is the goal of the Department of Forestry to promote wise use and public awareness of the natural resource amenities in order to prevent further environmental degradation.

Supervisor Hyland stated that a vigorous tree planting program will assist in promoting the needed public awareness and public involvement. He added that the goal of the program is to increase tree planting activities in the County because the benefits which trees provide are important and help meet the Board's goals and objectives as stated in the Goals Statement of 1987. He said that the outstanding benefits include significant improvement to the water and air quality, erosion and sedimentation control, reduction of the CO2 buildup and, of course, provision of wildlife habitat and aesthetics for the urban communities throughout Fairfax County.

Supervisor Hyland said that the County would be much closer to reaching the goal if one tree per capita were planted in Fairfax County by the end of 1992. He added that the sponsoring agency could be the Department of Forestry under the auspices of the Tree Commission.

Therefore, Supervisor Hyland asked unanimous consent that the Board support this goal and request the Department of Forestry to return to the Board with an action agenda item. Without objection, it was so ordered.

25. ADDITIONAL PROFFERS REGARDING PROPOSED MOUNT AIR MEWS
REQUEST TO WAIVE FEES (TAPE 6)

Supervisor Hyland stated that Allan Gasner, trustee and developer of the proposed Mount Air Mews townhouse complex located in the Newington area, is requesting a waiver of refiling fees and Final Development Plan fees. He said that the current Rezoning Application request is for the R-5 District. He added that John Byers, Mount Vernon District Planning Commissioner, has requested that it be refiled to the PDH District, thereby protecting the extensive environmentally sensitive areas on the site.

Supervisor Hyland said that in the course of negotiations, Mr. Gasner has proffered to contribute \$1,350 per unit to the housing trust fund, totalling \$114,750. He said that Mr. Gasner has also included a tree save program and a gypsy moth infestation site analysis, and if needed, he will provide a spray program.

Therefore, Supervisor Hyland moved that the Board waive the refiling fees on this proposed application. He added that the request does not indicate his support or non-support of the application. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Alexander and Supervisor McConnell being out of the room.

26. REVIEW THE PROCESS OF WAIVING FILING FEES
(TAPE 6)

Supervisor Hanley stated that the Board has taken action to waive the fees for the building permit for Phase I construction of decks, patios, etcetera for all phases of the Oakton Condominium. She said that the process indicates that they will have to pay the \$24,000 filing fees first and then be reimbursed. She asked unanimous consent that the Board direct staff to review this process so that the citizens will not be required to pay the fees and then be reimbursed. Without objection, it was so ordered.

27. AFFORDABLE HEALTH CARE REPORT (TAPE 6)

Supervisor Hanley stated that in 1988 the Board heard the Affordable Health Care Report which discussed the enormous number of Fairfax County citizens who do not have health insurance. She said that one of the reasons for this is that small businesses cannot afford to provide the coverage. She said that the Board had requested the Economic Development Authority (EDA) to review this issue.

Supervisor Hanley referred to a report on a health care program with flexible options and affordable prices for small businesses which she

had received from a constituent. She stated that she would circulate the brochure to Board Members and then forward a copy to EDA for its review.

28. PLUMBING CODE REQUIREMENTS (TAPE 6)

Supervisor Hanley referred to the Plumbing Code requirements for tubs and showers (one tub/shower per 15 students) in daycare centers. She said that a constituent had several plumbing fixture alternatives which he had presented to the staff for review and all of the alternatives were denied.

Supervisor Hanley moved that the Board direct staff to review the requirement and report with recommendations for alternatives. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Alexander and Supervisor McConnell being out of the room.

29. AFFIDAVIT LISTING (TAPE 6)

Supervisor Hanley stated that it was necessary to promulgate the computer list with those citizens whose names are on affidavits. Therefore, Supervisor Hanley moved that the Board direct staff to begin to promulgate those lists. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Alexander and Supervisor McConnell being out of the room.

30. HOUSE BILL #74 RELATING TO THE ASSESSMENT OF COURT COSTS FOR COURTHOUSE CONSTRUCTION, RENOVATION AND MAINTENANCE (TAPE 6)

Supervisor Hanley stated that House Bill #74 authorizes the local governing body to assess, as a part of the fees collected in each criminal or traffic case in District or Circuit Court, a sum not in excess of \$2.00. She said that the Act, which will become effective July 1, 1990, has a one year sunset clause and requires an ordinance by the governing body. She moved that the Board direct staff to review the issue and report with its recommendations. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being out of the room.

31. MULTIFAMILY HOMEOWNER ASSOCIATIONS (TAPE 6)

Supervisor Hanley stated that it had come to her attention that some multifamily homeowners associations are being charged commercial rates for lighting and heating in common areas. She moved that the Board refer this issue to the Department of Consumer Affairs to investigate and report with a recommendation as to whether the Board should request the State Corporation Commission (SCC) to require electric companies to charge residential common areas at residential electric rates. This motion was seconded by Vice-Chairman Pennino.

Vice-Chairman Pennino stated that the firm that furnishes air conditioning and heating to the Lake Anne area feels that they will be "hit" by the commercial utility tax. She said that since they are furnishing air conditioning and heating to residents, they would like to have this issue reviewed. Therefore, Vice-Chairman Pennino relinquished the Chair to Acting-Chairman Alexander and moved that the motion be amended to also include a review of this situation and this was accepted.

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

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

32. HOUSING TRUST FUND (TAPES 6-7)

(VERBATIM)

Supervisor Hanley referred to action that the Board took at its meeting held on April 23, 1990 concerning the use of the Housing Trust Fund combined with funds that are in the Housing Expense Relief Program which have been carried over year after year. She clarified that nothing in the motion that passed should be construed as interrupting the current round of awarding of the Housing Trust Fund funds.

Supervisor Richards moved that the Board direct staff to provide a verbatim transcript of Supervisor Hanley's remarks to be distributed to members of the Redevelopment and Housing Authority. This motion was seconded by Supervisor Davis and carried by a vote seven, Supervisor McConnell and Chairman Moore being out of the room.

33. LEGISLATIVE SUBCOMMITTEE MEETING (TAPE 7)

Supervisor Hanley announced that it is necessary to schedule a meeting of the Legislative Subcommittee Meeting on May 8 or May 9, 1990 at 8:30 a.m. Following a discussion, it was determined that the meeting would be scheduled later today.

(NOTE: Later in the day, Supervisor Hanley announced that the Legislative Subcommittee meeting is scheduled for Tuesday, May 8, 1990 at 8:30 a.m. See Clerk's Summary Item CL#99.)

34. NEW FALLS CHURCH HIGH SCHOOL STUDENT COUNCIL
PRESIDENT (TAPE 7)

Supervisor Davis announced that Falls Church High School has a new Student Council President. He pointed out that it was Supervisor Hanley's oldest daughter, Cecelia.

On behalf of the Board, Supervisor Davis congratulated Supervisor Hanley on her daughter's selection as President of the Student Council at Falls Church High School.

35. USE OF PESTICIDES IN URBAN AREAS (TAPE 7)

Supervisor Hyland stated that recently he had received a note from Mr. Robert Doyle, of the Virginia Cooperative Extension Service, regarding an April 3, 1990 Wall Street Journal article on concerns for urban agriculture programs.

He said the article states that:

- Only about one percent of pesticides are put on lawns, but they raise special concerns. Children play the most on grass, and they are "the subgroup of the population most susceptible" to toxins, notes Susan Cooper, an ecologist with the National Coalition Against Misuse of Pesticides. Earlier in the month the United States (U.S.) General Accounting Office also underscored these same concerns.

Because of the growth and development in Fairfax County and the increased use of professional lawn care companies, Supervisor Hyland asked unanimous consent that the Board direct the Public Information Office to send out information on this subject, especially targeting homeowner associations who contract with lawn care companies and other individual homeowners and civic associations. Without objection, it was so ordered.

AR:AR

36. REQUEST FOR SUSPENSION OF THE USE OF PLASTIC BAGS (TAPE 7)

Supervisor Pennino called the Board's attention to her recent request that the largest food distributors, Safeway, Magruder's and Giant, consider the suspension of the use of plastic bags. She noted that since that time, she has received information from Barry Scher of Giant noting that they have originated their own recycling program, even using recycled paper for announcements.

Supervisor Pennino commended Giant for their efforts on behalf of recycling in Fairfax County and stated that she would continue to work with them.

37. LEGAL AUTHORITY FOR FAIRFAX COUNTY TO AWARD SINGLE SOLE SOURCE CONTRACTS (TAPE 7)

Supervisor Pennino expressed her appreciation to the County Executive for his prompt response with regard to the County's legal authority to award single sole source contracts, but noted that there was no reference as to how this could be accomplished with contractors,

specifically those who build roads. She stated that her concern was about the County's ability to award single sole source contracts with road developers.

Therefore, Supervisor Pennino asked unanimous consent that the Board direct staff to provide information as expeditiously as possible on how the County could award sole source contracts with road builders. Without objection, it was so ordered.

38. REQUEST FOR THE APPOINTMENT OF AN AFRO-AMERICAN REPRESENTATIVE TO THE HISTORY COMMISSION (TAPE 7)

Supervisor Pennino moved that the Board direct staff to review the legal actions necessary in order to expand the History Commission to include a seat for an Afro-American representative. The motion was seconded by Supervisor Richards and carried by a vote of eight, Supervisor McConnell being out of the room.

39. CEMETERY ON THE PROPERTY OF VALE METHODIST CHURCH (TAPE 7)

Supervisor Pennino called the Board's attention to the fact that the County maps and records do not reflect Vale Methodist Church, located at the Vale Road/Fox Mill Road intersection, Tax Map 36-4((1))-8, as having a cemetery on its property. She moved that the Board direct staff to amend the County maps and records to show a cemetery on this property. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor McConnell being out of the room.

40. SCHEDULE FOR 1991 PRIMARY ELECTION (TAPE 8)

Supervisor Pennino stated that the 1991 Primary Election has been scheduled by the General Assembly for September 3, 1991. Since this date coincides with the starting date for the 1991-1992 school year, Supervisor Pennino moved that the Board request the School Board to consider changing the date for the opening of the 1992 school year to an appropriate date which will not conflict with the scheduled Primary Election. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor McConnell being out of the room.

41. INSTALLATION OF TRAFFIC SIGNAL AT THE INTERSECTION OF WAPLES MILL ROAD AND HISTORY DRIVE (TAPE 8)

Supervisor Pennino noted that the Virginia Department of Transportation (VDOT) has once again rejected a request for installation of a traffic signal at the intersection of Waples Mill Road and History Drive. She stated that VDOT said that the intersection does not warrant signalization because it does not meet VDOT criteria.

Supervisor Pennino stated that this is an urban area and should not be considered under the warrants used for rural areas, and that this

intersection is close to the site of the future Pender/Franklin School. Noting that the School Board has agreed to fund the traffic signal at this intersection, Supervisor Pennino moved that the Board direct staff to request early installation approval from VDOT and the new State Secretary of Transportation Milliken, asking that consideration be given to the fact that this is an urban area and not a rural community. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor McConnell being out of the room.

42. NOTIFICATION OF UPCOMING ARCHITECTURAL REVIEW
BOARD HEARINGS (TAPE 8)

Supervisor Richards stated that there are a number of Historic Overlay Districts across the County in which the Architectural Review Board (ARB) is responsible for maintaining the integrity of each Historic District. She noted that any individual who wishes to construct or modify a building within an Historic Overlay District must come before the ARB to determine if such a proposal is appropriate.

Since an applicant scheduled before the ARB is not required to notify adjacent property owners of the hearing, Supervisor Richards moved that the Board direct staff and the ARB to take the necessary measures to require that certified letters be sent to each adjacent property owner informing these individuals of the time, place, and date of the ARB hearing so that these individuals are given the opportunity to express their concerns. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being out of the room.

43. WAIVER OF FEES FOR MCLEAN LITTLE LEAGUE
(TAPE 8)

Supervisor Richards stated that the McLean Little League will be submitting an application to the Department of Environmental Management (DEM) for a Site Plan Waiver for construction of lights for one of their baseball fields, pending approval by the Board of Zoning Appeals. She further stated that the League was granted simultaneous processing on April 16, 1990.

Since the proposed improvements will give the McLean Little League, a non-profit organization for over 30 years, the opportunity to better serve the community for years to come, Supervisor Richards moved that the Board direct DEM to waive the fees associated with the future submission of a Site Plan Waiver. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being out of the room.

44. DISRUPTION IN WATER SERVICE DUE TO
RELOCATION OF FIRE HYDRANT BY DEVELOPER
(TAPE 8)

Supervisor Richards stated that her office was in receipt of a complaint from an individual who experienced a disruption of water service due to

the relocation of a fire hydrant by a developer. She noted that the Fairfax County Water Authority currently requires a 24 hour notification to every individual who will be disconnected from water as a result of construction activity.

Supervisor Richards moved that the Board recommend to the Water Authority that they review this policy so that better notification may be provided. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being out of the room.

45. PROFUSION OF ILLEGAL SIGNS (TAPE 8)

Supervisor Richards noted that one of the more vexing issues the County deals with is the profusion of illegal signs within the right-of-way, on utility poles, and in median strips. She stated that this is an issue that affects all of us, as these signs not only impede traffic safety, but they also clutter our neighborhoods.

Supervisor Richards moved that the Board direct staff to work with Virginia Power and C&P Telephone Company in initiating public service mailings, as part of utility bills, that would inform citizens that posting of signs on utility poles is illegal. She stated that with the advent of Spring, the unsightliness of these signs is even more disturbing, and that she would like to see some real efforts on the part of the County in curtailing these illegal signs. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Hanley and Supervisor McConnell being out of the room.

46. BUS SHELTERS (TAPE 8)

Supervisor Bulova referred to an item previously brought before the Board by Supervisor Alexander regarding the matter of the provision of bus shelters. She noted that as of several years ago, the Virginia Department of Transportation (VDOT) and Metro provided bus shelters in Fairfax County, but that changing priorities have since eliminated these programs.

Supervisor Bulova asked unanimous consent that the Board direct staff to contact the School Board staff requesting an update on a previous inquiry submitted by the Board exploring the possibility of construction of bus shelters by the Schools' Industrial/Shop students. Without objection, it was so ordered.

47. DISCUSSIONS ON BUSINESS, PROFESSIONAL, AND OCCUPATIONAL LICENSE (BPOL) TAX (TAPE 8)

With a notation that the Board had agreed on April 23, 1990, to table a motion to discuss the Business, Professional, and Occupational License (BPOL) tax, Supervisor Bulova moved that the Board Subcommittee, consisting of Supervisor Alexander and Supervisor Pennino, along with staff, proceed expeditiously to meet with the business community to review and consider desired changes to the BPOL tax. Supervisor Bulova

further requested that staff return to the full Board with their recommendations, potentially more revenue intensive, by October 1990. This motion was seconded by Supervisor Richards.

After considerable discussion, Supervisor Bulova moved to remove this motion from the table. This motion was seconded by Supervisor Hyland and FAILED by a recorded vote of six, Supervisor Bulova, Supervisor Hyland and Supervisor Richards voting "AYE".

48. ORDINANCE CHANGE REGARDING FENCES (TAPE 8)

Supervisor Bulova stated that there was a situation in the Annandale District where a fence exists behind homes that abut a buffer area and a road. She stated that industrial property across the road is being expanded by right and that the owner has offered to increase the height of an existing noise attenuation fence. Supervisor Bulova noted that a noise study indicates that in places the fence should be as high as 14 feet in order to be effective.

Supervisor Bulova moved that the Board direct staff to review possible emergency changes to the ordinance that would address this situation and return to the Board as expeditiously as possible with staff recommendations. This motion was seconded by Supervisor Hanley, with a caveat that staff also look into situations where there are commercial uses right next to residential districts and the present height limit for fences is eight feet, but there is a need for varying height limits.

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

49. SUPERVISOR MCCONNELL'S BOARD MATTERS (TAPE 8)

Supervisor McConnell announced that she did not have any Board Matters to present today.

50. APPLICATION BY BETHANY HOUSE OF NORTHERN VIRGINIA FOR A LOAN FROM THE VIRGINIA HOUSING PARTNERSHIP FUND (TAPE 8)

Supervisor Davis moved that the Board direct staff to approve the application by Bethany House of Northern Virginia, through Housing and Community Development, for a loan from the Virginia Housing Partnership Fund. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

51. REQUEST FOR COMMENTS FROM THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) (TAPE 8)

Supervisor Davis moved that the Board request the Economic Development Authority (EDA) to provide the following:

- Comments regarding the present office glut in Fairfax County; and
- Comments on what the EDA feels its mission should be in the coming months with the changing economy.

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

CM:CM

52. ADMINISTRATIVE ITEMS (TAPE 9)

Supervisor Alexander moved approval of the Administrative Items. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM
(CENTREVILLE, LEE, MOUNT VERNON, PROVIDENCE
AND SPRINGFIELD DISTRICTS)

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated April 30, 1990 be recommended for acceptance into the State Secondary System.

ADMIN 2 - APPROVAL OF WATER MAIN EXTENSIONS,
SYDENSTRICKER AND GAMBRILL ROADS (SPRINGFIELD
DISTRICT)

Approved the request for installation of approximately 970 feet of 20-inch, 540 feet of 16-inch, 80 feet of 12-inch, and 670 feet of eight-inch water mains along Sydenstricker and Gambrill Roads to provide greater system security and emergency transmission capacity between two 36-inch water transmission mains.

ADMIN 3 - APPROVAL OF WATER MAIN EXTENSION:
CENTREVILLE GREEN (SPRINGFIELD DISTRICT)

Approved the request for installation of approximately 650 feet of 12-inch water main in the right-of-way of Braddock Road (Route 620) and Union Mill Road (Route 659) to provide a loop for better system security as well as adequate domestic and fire protection service for Centreville Green.

ADMIN 4 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION
FOR SPECIAL EXCEPTION AMENDMENT APPLICATION
SEA 85-P-141, FAIRFAX HILTON SITE (PROVIDENCE DISTRICT)

DENIED the request for additional time to commence construction for Special Exception Amendment Application SEA 85-P-141.

ADMIN 5 - EDGELEA WOODS CUT-THROUGH TRAFFIC
(PROVIDENCE DISTRICT)

(R) Approved the Resolution requesting:

- The Virginia Department of Transportation (VDOT) to conduct a review and address possible solutions to the cut-through traffic problem; and
- Staff to provide the necessary documentation with the resolution to VDOT.

ADMIN 6 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING ON THE PROPOSED PROHIBITION OF THROUGH
TRUCK TRAFFIC ON LEWINSVILLE ROAD (DRANESVILLE
DISTRICT)

(A) Authorized the posting of a notice and advertisement of a public hearing to be held before the Board of Supervisors on June 4, 1990 at 3:30 p.m. regarding the prohibition of through truck traffic on Lewinsville Road located between Leesburg Pike (Route 7) and Chain Bridge Road (Route 123).

ADMIN 7 - AUTHORIZATION TO ADVERTISE PROPOSED
AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX
CHAPTER 24, (BINGO GAMES AND RAFFLES) AND TO
CHAPTER 112, (ZONING ORDINANCE), ARTICLE 12,
(SIGNS), REGARDING BINGO GAMES AND RAFFLES

(A) Authorized the advertisement of a public hearing to be held before the Planning Commission on June 7, 1990 and the Board of Supervisors on June 25, 1990 at 4:00 p.m. regarding proposed amendments to the Code of the County of Fairfax, Chapter 24 (Bingo Games and Raffles) and to Chapter 112, (Zoning Ordinance) Article 12 (Signs) in response to changes to the State Code provisions on bingo games and raffles which were passed during the Virginia General Assembly's 1989 and 1990 sessions.

53. A-1 - APPROVAL OF CONTRACT WITH THE NORTHERN
VIRGINIA TRANSPORTATION COMMISSION (NVTC) TO
PROVIDE FOR BOND FINANCING FOR THE FAIRFAX
COUNTY PARKWAY (TAPE 9)

(R) On motion of Supervisor Alexander, seconded by Supervisor Richards, and carried by a vote of six, Supervisor Bulova, Supervisor Davis, and Supervisor McConnell voting "NAY", the Board concurred in the recommendation of staff and took the following actions:

- Adopted a Resolution which:
 - * Requests the Northern Virginia Transportation Commission (NVTC) to adopt a Resolution to issue \$330 million of revenue bonds plus the estimated costs of funding capitalized interest during the period of construction and provide for a debt service reserve;
 - * Approves the contract with NVTC and the Trust Agreement;
 - * Requests NVTC to designate the firm of Brown and Wood as Bond Counsel for the bonds; and
 - * Authorizes the County Attorney to proceed to validation of the bonds.
- Authorized staff to present this contract to the NVTC Board for their approval and request NVTC approval of the Resolution which will authorize an issue of revenue bonds secured by this contract, approve the form of the Trust Agreement, approve the selection of Brown and Wood as Bond Counsel and authorize staff to proceed to validation of the Bonds.

There was a lengthy discussion on this item.

54. A-2 - FAIREAX COUNTY SPOT IMPROVEMENT PROGRAM
INTERIM REPORT (COUNTYWIDE) (TAPE 9)

On motion of Supervisor Hanley, seconded by Supervisor Pennino, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Approved in concept, the study contained in the Memorandum to the Board dated April 30, 1990; and
- Directed staff to prepare conceptual solutions and cost estimates for those 63 intersections, identified in Exhibit 7A of the Report which appear on all five lists.

There was a discussion on this item with input from Shiva K. Pant, Director, Office of Transportation.

55. A-3 - DEPARTMENT OF RECREATION AND COMMUNITY SERVICES' GRANT APPLICATION TO THE UNITED STATES (U.S.) DEPARTMENT OF AGRICULTURE FOR THE SUMMER LUNCH PROGRAM FOR CHILDREN (TAPE 9)

On motion of Supervisor Alexander, seconded by Supervisor Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the Department of Recreation and Community Services' grant application in the amount of \$50,974 in the 1990 United States (U.S.) Department of Agriculture's Summer Lunch Program for Children. An amount of \$4,800 in local case supplemental funding is required for a total program cost of \$55, 774. The program is staffed by one part-time grant exempt summer lunch program supervisor (0.16 SYE).

56. A-4 - OFFICE FOR CHILDREN APPLICATION FOR THE CONTINUATION OF THE HEAD START PARENT AND CHILD CENTER PROGRAM GRANT (TAPE 9)

On motion of Supervisor Hanley, seconded by Supervisor Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the submission of an application by the Office for Children for the continuation of the Head Start Parent and Child Center Program (PCC) grant with total program costs of \$663,144 for Fiscal Year (FY) 1991. This amount includes \$530,515 from the United States (U.S.) Department of Health and Human Services and a required 20 percent in-kind contribution of \$132,629. The grant supports 8/5.72 SYE continuing, grant-exempt positions within the Office Children.

57. A-5 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 90043 GRANT FUNDING AND ESTABLISHMENT OF A TEMPORARY GRADUATE APPRENTICE POSITION IN THE OFFICE OF TRANSPORTATION (ALL DISTRICTS) (TAPE 9)

(SAR) On motion of Supervisor Alexander, seconded by Supervisor Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution AS 90043 in the amount of \$23,910, which includes \$19,500 in State funds and \$4,410 in County funds as the local cash match to provide for a 1.0 grant-exempt temporary position at an S-15 level for a 12 month period beginning in May 1990 through May 1991.

58. A-6 - DENSITY CREDIT FOR ADVANCE DEDICATION OF LAND FOR PUBLIC STREET PURPOSES (WAPLES MILL ROAD EXTENDED) (SPRINGFIELD DISTRICT) (TAPE 9)

(R) On motion of Supervisor McConnell, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of

staff and approved density for the portion of the following lots or parcels that are to be dedicated for public use for public street purposes, for Waples Mill Road Extended, Springfield District, in accordance with the deed of dedication which is recorded. The following approximate amounts of land are to be dedicated from the following Tax Map Parcels:

<u>Tax Map Reference of Land Being Dedicated</u>	<u>Density Credit</u>	<u>Tax Map Reference Of Parcel Receiving Dedicated Area</u>
56-2 ((1)) 33F	41,764 Sq. Feet	56-2 ((1)) 33G
56-2 ((1)) 33G	297 Sq. Feet	56-2 ((1)) 33G
TOTAL	42,061 Sq. Feet	

59. A-7 - LAND ACQUISITION FOR BEL AIR, PHASE II
NEIGHBORHOOD IMPROVEMENTS (MASON DISTRICT)
(TAPE 9)

(Rs)

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

- Adopted the Resolutions necessary to allow the purchase of the necessary land rights for three parcels in the Bel Air, Phase II, Community Improvement Program, Mason District; and
- Authorized the advertisement of a quick-take public hearing to be held before the Board of Supervisors on May 21, 1990 at 3:30 p.m. regarding these parcels.

60. A-8 - FAIRFAX COUNTY OFFICE OF HUMAN SERVICES'
GRANT APPLICATION TO THE VIRGINIA LAW FOUNDATION
FOR COUNSELING FOR DUAL-DIAGNOSED COMMUNITY
DIVERSION PROGRAM CLIENTS (TAPE 9)

On motion of Supervisor Pennino, seconded by Supervisor Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a one-time grant application by the Office of Human Services to the Virginia Law Foundation in the amount of \$26,000 to provide contractual counseling services for dual-diagnosed Community Diversion Program clients for the period of July 1, 1990 through June 30, 1991. There is no local cash match required.

61. A-9 - 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 9)

Supervisor Pennino moved that the Board:

- Approve the staff recommendation for the realignment of Centreville Road to the West; and
- DEFER the remaining issues regarding Centreville Road as follows until May 21, 1990:
 - * Endorsing the widening of Centreville Road to six lanes between Route 50 and West Ox Road for planning and right-of-way acquisition and reservation purposes;
 - * Endorsing the Virginia Department of Transportation (VDOT) plans for widening Centreville Road to six lanes between McLearen Road and West Ox Road, as funded for construction;
 - * Designating the provision of dual left turns and other intersection improvements at the Route 50/Centreville Road intersection as the next priority for funding on Centreville Road as additional construction funds become available;
 - * Advising VDOT that a determination regarding the number of lanes to construct within the six-lane right-of-way between Route 50 and McLearen Road will be made when construction funds for this segment become available; and

- * Endorsing the provision of a five-foot sidewalk on the west side and an eight-foot trail on the east side of Centreville Road.

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

Supervisor Pennino welcomed Ms. Katharine D. Ichter, Section Chief, Project Planning, Office of Transportation, back to work following the birth of her second child.

62. I-1 - ROAD BOND PROGRAM - QUARTERLY FINANCIAL SUMMARY FOR MARCH 1990 (TAPE 9)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 30, 1990 presenting the Road Bond Program - Quarterly Financial Summary for March 1990, as follows:

<u>Fiscal Year</u>	<u>Expended</u>	<u>Encumbrances and Reservations</u>	<u>Fiscal Year Total</u>	<u>Cumulative Total</u>
1982	513,375		513,375	513,375
1983	2,520,939		2,520,939	3,034,314
1984	6,480,108		6,480,108	9,514,411
1985	10,105,749		10,105,749	19,620,171
1986	11,352,996		11,352,996	30,973,167
1987	23,314,579		23,314,579	54,287,746
1988	15,763,518		15,763,518	70,051,264
1989	64,270,537		64,270,537	134,321,801
1990				
(3/30/90)	<u>27,971,662</u>	<u>84,386,803</u>	<u>112,358,465</u>	<u>246,680,266</u>
TOTAL	\$162,293,463	\$84,386,803	\$246,680,266	

This quarterly fiscal report reflects expenditures and encumbrances for all of the transportation improvements contained in the total \$340 million of bond referenda approved to date and includes road improvements, commuter rail stations and parking lots, garages and commuter park and ride lots.

63. I-2 - PUBLIC HEARING ON THE APPOINTMENTS OF SCHOOL BOARD MEMBERS (TAPE 9)

- (A) The Board next considered an Information Item contained in the Memorandum to the Board dated April 30, 1990 requesting authorization for staff to schedule a public hearing on June 4, 1990 at 7:30 p.m. to consider the appointment of School Board Members to fill expiring terms

of representatives from the Springfield, Providence, Annandale and Mount Vernon Districts.

The staff was directed administratively to proceed as proposed.

64. I-3 - REVISIONS TO MEDICAL CLASSIFICATIONS
AND PROCEDURES (TAPE 9)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 30, 1990 requesting authorization for staff to:

- Implement the Medical Examination revisions as outlined in the Memorandum to the Board; and
- Submit appropriate revisions of the Personnel Rules and Fairfax County Medical Standards to the Civil Service Commission along with other forthcoming changes to the Personnel Rules.

The staff was directed administratively to proceed as proposed.

65. I-4 - STATUS REPORT ON THE HEAD INJURY
REINTEGRATION PROJECT OF NORTHERN VIRGINIA
(TAPE 9)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 30, 1990, presenting the Status Report on the Head Injury Reintegration Project of Northern Virginia.

66. I-5 - SUBMISSION OF THE FINAL APPLICATION
FOR GRANT FUNDING UNDER THE COMPREHENSIVE
IMPROVEMENT ASSISTANCE PROGRAM (CIAP) TO
THE UNITED STATES (U.S.) DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT (HUD) FOR
IMPROVEMENTS TO THE GREENWOOD APARTMENTS
(MASON DISTRICT) (TAPE 9)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 30, 1990 requesting authorization for the Fairfax County Redevelopment and Housing Authority (FCRHA) to continue working with the United States (U.S.) Department of Housing and Urban Development (HUD) on a final grant application for funding under the Comprehensive Improvement Assistance Program (CIAP) for improvements to the Greenwood Apartments, Mason District.

The staff was directed administratively to proceed as proposed.

67. I-6 - APPROVAL OF THE RIGHT-OF-WAY REIMBURSEMENT AGREEMENT BETWEEN THE BOARD OF SUPERVISORS AND THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR PROJECT 64115, ROUTE 1/BUCKMAN ROAD IMPROVEMENT PROJECT (LEE DISTRICT) (TAPE 9)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 30, 1990 requesting authorization for staff to proceed with an agreement between the Board of Supervisors and the Virginia Department of Transportation (VDOT) for Project 64115, Route 1/Buckman Road Improvement Project, Lee District. Funds in the amount of \$500,000 are available in Fiscal Year (FY) 1988-89 Revenue Sharing Funds to approve this agreement.

The staff was directed administratively to proceed as proposed.

68. I-7 - APPROVAL OF AN ENGINEERING DESIGN CONTRACT ADDENDUM FOR THE ROUTE 236/BEAUREGARD STREET INTERCHANGE FEASIBILITY STUDY (MASON DISTRICT) (TAPE 9)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 30, 1990 requesting authorization for staff to award an engineering design contract addendum to JHK and Associates in the amount of \$26,986 for additional work in Project 006497, Route 236/Beauregard Street Interchange in Subfund 463, Primary and Secondary Road Bond Construction, Mason District.

The staff was directed administratively to proceed as proposed.

69. I-8 - CONTRACT AWARD - FEASIBILITY ANALYSIS, SURVEY, DESIGN, BIDDING AND INSPECTION SERVICES AT LAKE ACCOTINK PARK (ANNANDALE AND SPRINGFIELD DISTRICTS) (TAPE 9)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 30, 1990 requesting authorization for staff to award a contract to Bengtson, DeBell, Elkin and Titus, Limited, in the amount of \$78,544 to hire a new design consultant for the feasibility analysis, survey, design, bidding, and inspection services, Project 004701, in Subfund 451, Park Authority Bond Construction, Annandale and Springfield Districts.

The staff was directed administratively to proceed as proposed.

70. I-9 - ARCHITECTURAL CONTRACT AWARD TO HELLMUTH, OBATA AND KASSABAUM, P.C., FOR THE DESIGN OF THE ADULT DETENTION CENTER EXPANSION II (CENTRAL COUNTY COMPLEX) (TAPE 9)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 30, 1990 requesting authorization

for staff to award an architectural contract to Hellmuth, Obata and Kassabaum, P.C., Washington, D.C., in the amount of \$3,902,848, for the Adult Detention Center Expansion II, Project 89A001, within Subfund 471, County Bond Construction, for design of approximately a 750 bed expansion with associated support services, renovation of portions of the existing Adult Detention Center, and a structured parking facility, located at 10520 Judicial Drive, Fairfax, Virginia.

The staff was directed administratively to proceed as proposed.

71. I-10 - CONTRACT AWARD - ENTRANCE ROAD AND PARKING FACILITIES AND RELATED WORK AT BARON CAMERON SCHOOL SITE (CENTREVILLE DISTRICT) (TAPE 9)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 30, 1990 requesting authorization for staff to:

- Award a contract to Finley Paving of Manassas, Virginia, in the amount of \$279,800 for entrance road and parking facilities and related work for Project 004285, Baron Cameron School Site in Subfund 451, Park Authority Bond Construction; and
- Reallocate funds in the amount of \$87,008 from Project 004534, Subfund 451, Park Authority Contingency, to fund this shortfall.

The staff was directed administratively to proceed as proposed.

72. I-11 - CONTRACT AWARD - DOGUE CREEK SEWAGE TREATMENT PLANT ABANDONMENT (MOUNT VERNON DISTRICT) (TAPE 9)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 30, 1990 requesting authorization for staff to:

- Award a contract to Springfield Contracting Corporation (SCC) in the amount of \$149,000 for the demolition of the Dogue Creek Sewage Treatment Plant, Project L00115, in Subfund 524, Sewer Bond Extension and Improvement; and
- Reallocate funds in the amount of \$257,515 to Project X00998, Sewer Contingency

Project, to fund possible shortfalls in other projects within this Subfund.

The staff was directed administratively to proceed as proposed.

73. I-12 - CONTRACT AWARD - STANDBY GENERATOR FACILITIES AT THE 50/66 MAIN AND LONG BRANCH PUMPING STATIONS (MOUNT VERNON AND SPRINGFIELD DISTRICTS) (TAPE 9)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 30, 1990 requesting authorization for staff to award a contract to John E. Kelly and Sons Electrical Construction, Incorporated, in the amount of \$441,000 for the construction of Standby Generator Facilities for the 50/66 Main and Long Branch Pumping Stations in Project I00351, Pump Station Renovations, in Subfund 524, Sewer Bond Extension and Improvements.

The staff was directed administratively to proceed as proposed.

74. I-13 - AWARD OF AN ENGINEERING DESIGN CONTRACT FOR LINCOLNIA HEIGHTS PHASE II SUBDIVISION (MASON DISTRICT) (TAPE 9)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 30, 1990 requesting authorization for staff to award an engineering design contract to DeLeuw, Cather and Company of Virginia in the amount of \$70,802.83, for completion of the engineering design for Phase II of Project C00080, Lincolnia Heights Phase II, in Subfund 488, Neighborhood Improvement Program.

The staff was directed administratively to proceed as proposed.

75. I-14 - DESIGN CONTRACT AWARD - ARCHITECTURAL AND RELATED SERVICES FOR AN ICE RINK AT LAKE FAIRFAX PARK (CENTREVILLE DISTRICT) (TAPE 9)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 30, 1990 requesting authorization for staff to award a design contract to Studio 3 Architects, P.C., in the amount of \$397,601 for design services for the development of an ice rink for Lake Fairfax Park, Project 474588, in Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

76. I-15 - TRANSPORTATION ADVISORY COMMISSION RECOMMENDATIONS REGARDING CENTREVILLE ROAD (CENTREVILLE DISTRICT) (TAPE 9)

The Board next considered an Information Item contained in Attachment I of the Memorandum to the Board dated April 30, 1990 presenting the

recommendations of the Transportation Advisory Commission regarding the proposed widening of Centreville Road. These recommendations include the entire length of Centreville Road from the Dulles Toll Road to Route 50, including the Virginia Department of Transportation (VDOT) road project section between West Ox Road and Route 50.

77. I-16 - CONTRACT AWARD - CENTREVILLE REGIONAL LIBRARY (SPRINGFIELD DISTRICT) (TAPE 9)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 30, 1990 requesting authorization for staff:

- To award a contract to Jack Bays, Incorporated, in the amount of \$3,150,000 for construction costs; and
- Reallocate funds in the amount of \$1,412,033 to Project 004822, Library Contingency to fund possible shortfalls in other projects within this subfund.

The staff was directed administratively to proceed as proposed.

78. RECESS/EXECUTIVE SESSION (TAPE 10)

At 2:00 p.m., Supervisor Davis moved that the Board recess and go into Executive Session for discussion of matters set forth in the Agenda, as well as for discussion of actual and potential litigation and other legal and personnel matters concerning:

- Gus Neuburg Construction Company versus County of Fairfax Civil Action No. 90-0470-A; and
- Discussion related to potential litigation concerning implementation of House Bill #721.

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

SBE:SBE

At 3:50 p.m., the Board reconvened in the Board Room with all Members being present, and with Chairman Moore presiding.

79. ACTIONS FROM EXECUTIVE SESSION (TAPE 11)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 jointly seconded by Supervisor Davis and Supervisor Pennino and carried by unanimous vote.

B. DENIAL OF THE CLAIM OF CHARLES H. TRAMMELL, JR.

Supervisor Davis moved denial of the claim of Charles H. Trammell, Jr., as recommended by the County Attorney in Executive Session. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

C. AUTHORIZATION OF SETTLEMENT OF LILY RUCKSTUHL
VERSUS BOARD OF SUPERVISORS

Supervisor Hanley moved authorization of settlement of Lily Ruckstuhl versus the Board of Supervisors of Fairfax County, et al, At Law Number 94925 according to terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

D. ADOPTION OF THE RESOLUTION ADOPTED BY THE
FAIRFAX COUNTY REDEVELOPMENT HOUSING
AUTHORITY

Supervisor Alexander moved adoption of the Resolution adopted by the Fairfax County Redevelopment Housing Authority of a finding of necessity for condemnation to acquire fee simple title to the property owned by Felipa L. Unicano, identified as 93-1((38)) (1) lot 1; Dennis Mahafkey identified as 93-1((38))(1) lot 4; Elizabeth Severson identified as 93-1((1)) lots 97 and 98; Elizabeth Severson, Arthur P. Severson, and Mary Anna Severson Dunn, identified as 93-1((38))(1) lots 7 and 8. This motion was seconded by Supervisor Davis carried by a recorded vote of eight, Supervisor Hyland voting "NAY".

E. REZONING APPLICATION TO THE R-3 DISTRICT

Supervisor Hanley moved, for reasons set forth by the County Attorney in Executive Session, that when the Rezoning Application to the R-3 District for parcels 48 and 49 on Tax Map 39-3 ((1)) is submitted to the Office of Comprehensive Planning, the application receive expedited review and the fees associated with the Rezoning Application be waived for good cause shown pursuant to Section 18-106 of the Fairfax County Zoning Ordinance. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

F. THE DENIAL OF CLAIM OF STEVEN MANDEVILLE, CHARLES MANDEVILLE AND LINDA MANDEVILLE

Supervisor McConnell moved denial of the claim of Steven, Charles and Linda Mandeville versus Fairfax County as recommended by the County Attorney in Executive Session. This motion was seconded by Supervisor Davis and carried by unanimous vote.

G. AUTHORIZATION TO INTERVENE IN RE: PETITION ASKING FOR REFERENDUM PURSUANT TO VIRGINIA CODE

Supervisor Hyland moved that the Board command authorization to intervene in re: petition asking for referendum pursuant to Virginia Code 15.1-757, In Chancery Number 115937 as recommended by the County Attorney in Executive Session. This motion was seconded by Supervisor Pennino and carried by a recorded vote of seven, Supervisor Davis and Supervisor McConnell voting "NAY".

ADDITIONAL BOARD MATTER

80. THE USE OF PROFFERS AND HOUSE BILL #721 (TAPE 11)

Supervisor Pennino stated that during the last few weeks there has been a great deal of discussion regarding the use of proffers and the effect that House Bill #721 has had on proffers and on the land-use authority of the County.

Supervisor Pennino stated that one of the issues that kept recurring in all of these discussions is the need to review the Public Facility Manual (PFM), Subdivisions, Site Plans, and Zoning Ordinances. Supervisor Pennino stated that if this review process did not begin immediately, there will be extended delays in clarifying the rezoning process.

Supervisor Pennino moved that the Board direct staff to:

- Review the PFM, Subdivisions, Site Plans, and Zoning Ordinances for the purpose of recommending amendments such that all elements of a development that are required for good development be mandatory; and
- Report its findings within 45 days so that the appropriate public hearing can be expeditiously scheduled.

This motion was seconded by Supervisor Davis.

Supervisor Davis moved to amend the motion as follows:

- Direct staff to begin scheduling public hearings as of that date to include proffered rezonings.

Supervisor Pennino accepted this amendment to the motion.

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

81. CHANGE IN THE ORDERS OF THE DAY (TAPE 11)

Supervisor Alexander asked unanimous consent that the Board change its Orders of the Day and proceed with action on Rezoning Application RZ 89-L-022 (E.W. Lynch, Jr., Trustee). Without objection, it was so ordered.

82. 4:00 P.M. - PH ON REZONING APPLICATION
RZ 89-L-022 (E.W. LYNCH, JR., TRUSTEE)
(TAPE 11)

Supervisor Alexander moved to defer the public hearing on Rezoning Application RZ 89-L-022 until July 9, 1990 at 4:00 p.m. at the request of the applicant. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

83. 3:30 P.M. - PUBLIC HEARING ON PROPOSED AMENDMENTS
TO THE PUBLIC FACILITIES MANUAL RE: AMENDMENTS TO
ARTICLE 2 (GENERAL SUBDIVISION AND SITE PLAN
INFORMATION), ARTICLE 10 (SEWAGE AND SOLID WASTE
DISPOSAL), ARTICLE 7 (STREETS, PARKING AND
DRIVEWAYS), AND APPENDIX B-7 (STREETS, PARKING
AND DRIVEWAYS) (TAPE 11)

(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 April 13 and April 20, 1990.

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

Supervisor Davis moved adoption of the proposed amendments to the Public Facilities Manual (PFM) to address tot lot safety, update statistics, and clarify various provisions. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Alexander, Supervisor McConnell, Supervisor Richards and Chairman Moore being out of the room.

(NOTE: The proposed amendments to the PFM become effective at 12:01 a.m., July 1, 1990, and that the following be grandfathered:

- Subdivision Plans, Site Plans and Public Improvement Plans approved prior to 12:01 a.m., July 1, 1990.)

ADDITIONAL BOARD MATTER

84. CARL R. PEED, ACTING SHERIFF (TAPE 11)

Supervisor McConnell announced that Carl R. Peed, Acting Sheriff, is being honored as the Correctional Administrator of the Year by the American Jail Association.

Supervisor McConnell moved that the Board send a letter congratulating Acting Sheriff Peed on his accomplishment. This motion was seconded by Supervisor Davis and carried by a vote of four, Chairman Moore abstaining, Supervisor Alexander, Supervisor Hanley, Supervisor Pennino, and Supervisor Richards being out of the room.

85. 3:30 P.M. - PUBLIC HEARING ON THE CREATION/ENLARGEMENT/DE-CREATION/RE-CREATION OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE AND LEAF COLLECTION SERVICES (LEE, MASON AND PROVIDENCE DISTRICTS) (TAPE 11)

- (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 April 13 and April 20, 1990.

Following the public hearing, Supervisor Davis moved to waive the reading of the staff and Planning Commission recommendations. The second to this motion was inaudible.

The question was called on the motion which carried by a vote of five, Supervisor Alexander, Supervisor McConnell, Supervisor Richards, and Chairman Moore being out of the room.

Supervisor Davis moved that all of the petitions be approved as follows:

<u>Sanitary District</u>	<u>Action</u>	<u>Type of Service</u>
Local District B within Small District One within Lee District	Enlarge	Refuse & Leaf
Small District One within Mason District	De-create/ Re-create	Refuse & Leaf
Small District One within Providence District (Dominion Heights Subdivision)	De-create/ Re-create	Refuse & Leaf
Small District One within Providence District (1007 Poplar Drive)	De-create/ Re-create	Refuse & Leaf
Local District A within Small District One within Providence District (Dominion Heights Subdivision)	Create	Refuse

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

86. 3:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT
APPLICATION SEA 82-V-012 (FAIRFAX HOSPITAL
SYSTEM) (MOUNT VERNON DISTRICT) (TAPE 11)

Mr. James Scott reaffirmed the validity of the affidavit for the record.

Supervisor Davis stated that his wife is a practicing Gynecologist with privileges at Fairfax Hospital.

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

Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Alexander, Supervisor McConnell, and Chairman Moore being out of the room.

Supervisor Hyland moved approval of Special Exception Amendment Application SEA 82-V-012, subject to the proposed development conditions as revised February 14, 1990. This motion was seconded by Supervisor Davis and carried by a vote of six, Supervisor Alexander, Supervisor McConnell, and Chairman Moore being out of the room.

Supervisor Hyland moved approval of the modification to the transitional screening requirement along the periphery of the site as shown on the Special Exception Plat. This motion was seconded by Supervisor Davis and carried by a vote of six, Supervisor Alexander, Supervisor McConnell, and Chairman Moore being out of the room.

Supervisor Hyland moved approval of waiver of the barrier requirement. This motion was seconded by Supervisor Davis and carried by vote of six, Supervisor Alexander, Supervisor McConnell, and Chairman Moore being out of the room.

87. 4:00 P.M. - PH ON REZONING APPLICATION
RZ 89-L-022 E. W. LYNCH, JR., TRUSTEE)
(LEE DISTRICT) (NO TAPE)

(NOTE: Earlier in the meeting, action was taken to defer the public hearing on Rezoning Application RZ 89-L-022 until July 9, 1990 at 4:00 p.m. See Clerk's Summary Item CL#82.)

88. 4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATIONS
SE 89-C-046, SE 89-C-047 AND SE 89-C-048 (AUBREY
LIMITED PARTNERSHIP) (CENTREVILLE DISTRICT)
(TAPE 11)

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

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

Vice-Chairman Pennino relinquished the Chair to Acting-Chairman Bulova and moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Hanley and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

Following the public hearing, Supervisor Pennino moved:

- Approval of Special Exception Application SE 89-C-046 subject to the development conditions dated April 2, 1990;
- That the transitional screening and barrier requirements along the southern boundary be modified in favor of the submitted Landscape Plan and the proposed Development Conditions;
- That Special Exception Application SE 89-C-047 be approved subject to the development conditions dated April 2, 1990; and
- That Special Exception Application SE 89-C-048 be approved subject to the development conditions dated April 10, 1990.

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

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

89. 4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION
SE 89-L-074 (SYDNEY E. ALBRITAIN) (LEE DISTRICT)
(TAPE 11)

Mr. Robert A. Kinsey reaffirmed the validity of the affidavit for the record.

On behalf of Supervisor Alexander, Supervisor Hyland, moved to waive the reading of the staff and Planning Commission recommendations. 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.

Following the public hearing, Supervisor Hyland moved approval of Special Exception Application SE 89-L-074 subject to the revised development conditions dated April 4, 1990. This motion was seconded by Supervisor Hanley and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

DL:DL

90. 4:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT
APPLICATION SEA 83-D-030-3 (THE MADEIRA SCHOOL,
INCORPORATED) (DRANESVILLE DISTRICT) (TAPE 12)

Mr. Frank Smith reaffirmed the validity of the affidavit for the record.

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

Supervisor Richards moved that Special Exception Amendment Application SEA 83-D-030-3 be approved subject to the proposed development conditions dated February 7, 1990. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room.

Supervisor Richards moved modification of the transitional screening and barrier requirement in favor of the plan submitted on the Special Exception Plat. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room.

Supervisor Richards further moved that the Board direct staff to provide expedited review of the Site Plan for Special Exception Amendment Application SEA 83-D-030-3. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room.

Following discussion, Supervisor Richards amended the motion to reflect April 3, 1990 as the correct date for the proposed development conditions, and this was accepted.

91. 4:30 P.M. - PH ON THE PROPOSED VACATION OF A
PORTION OF MORRIS STREET (PROVIDENCE DISTRICT)
(TAPE 12)

- (0) Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that notice of said public hearing had been duly advertised in those Newspapers in the issues of April 13 and April 20, 1990.

Following the public hearing, Supervisor Hanley moved adoption of the Ordinance vacating an unimproved portion of Morris Street located within the Three M's Subdivision. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room.

92. BOARD RECESS (TAPE 12)

The Board recessed briefly at 4:40 p.m. and reconvened in the Board Room at 5:00 p.m. with all members present with the exception of Supervisor Alexander, Supervisor Davis, Supervisor Hanley, Supervisor Richards, and with Chairman Moore presiding.

93. 5:00 P.M. - PH ON DEVELOPMENT PLAN AMENDMENT
APPLICATION DPA C-546-20 (BOARD OF SUPERVISORS)
(SPRINGFIELD DISTRICT) (TAPE 12)

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

Supervisor McConnell moved approval of Development Plan Amendment Application DPA C-546-20 subject to the revised development conditions dated April 27, 1990. This motion was seconded jointly by Supervisor Bulova and Supervisor Hyland and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor Hanley, and Supervisor Richards being out of the room.

94. 5:00 P.M. - PH ON THE PROPOSED VACATION OF AN
UNIMPROVED PORTION OF ITHACA STREET (PROVIDENCE
DISTRICT) (TAPE 12)

- (0) Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that notice of said public hearing had been duly advertised in those Newspapers in the issues of April 13 and April 20, 1990.

Following the public hearing, which included testimony by three speakers, Supervisor Hanley moved to defer Board decision on the Ordinance vacating an unimproved portion of Ithaca Street located within the Dunn Loring Subdivision until May 21, 1990 at 4:30 p.m. This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Alexander, Supervisor Davis and Supervisor Richards being out of the room.

95. 5:00 P.M. - PH ON AGRICULTURAL/FORESTAL DISTRICT
APPLICATION AF 90-S-003 (THOMAS E. AND MADELEINE S.
REED) (SPRINGFIELD DISTRICT) (TAPE 12)

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

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

Supervisor McConnell moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115, Appendix F (District Ordinances for Local Agricultural and Forestal Districts), to establish the F-27 [Ma Local Agricultural and Forestal District (AF 90-S-003)] subject to the proposed ordinance provisions listed in Appendix One of the Staff Report. This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Supervisor Richards being out of the room.

96. 5:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-P-041 (NATIONAL AMUSEMENTS, INCORPORATED) (PROVIDENCE DISTRICT) (TAPES 12-13)

Ms. Maryanne Bundran reaffirmed the validity of the affidavit for the record.

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

Supervisor Hanley moved approval of Special Exception Amendment Application SEA 84-P-041 subject to the revised development conditions dated March 1, 1990 with an additional Condition 11 to read as follows:

- "The maximum number of employees on the site at any one time shall not exceed 25."

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

97. BOARD RECESS (TAPE 13)

At 5:30 p.m. the Board recessed and reconvened at 7:30 p.m. with all members present with the exception of Supervisor Alexander, Supervisor Davis, Supervisor Richards, and with Chairman Moore presiding.

98. 7:30 P.M. - PH TO RECEIVE CITIZEN COMMENT ON ISSUES OF CONCERN (TAPE 13)

(VERBATIM)

Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that notice of said public hearing had been duly advertised in those Newspapers in the issues of April 13 and April 20, 1990.

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

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

ADDITIONAL BOARD MATTER

99. LEGISLATIVE SUBCOMMITTEE MEETING SCHEDULED
(TAPE 13)

(NOTE: Earlier in the meeting this item was discussed. See Clerk's Summary Item CL/#33.)

Supervisor Hanley announced that the Legislative Subcommittee meeting would be scheduled for Tuesday, May 8, 1990 at 8:30 a.m.

100. BOARD ADJOURNMENT (TAPE 13)

At 8:00 p.m. the Board adjourned.