



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

JUNE 25, 1990

17-90

AR:ar

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

Supervisor Hanley arrived at 10:10 a.m.

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

2. CERTIFICATE OF APPRECIATION TO RICHARD C. THOESSEN, MAYOR, TOWN OF HERNDON (TAPE 1)

Supervisor Richards moved approval of the presentation of the Certificate of Appreciation presented to Richard C. Thoesen for his many years of service as the Mayor of the Town of Herndon. This motion was jointly seconded by Supervisor Davis and Supervisor Pennino and carried by a vote of eight, Supervisor Hanley not yet having arrived.

3. 10:00 A.M. - PRESENTATION BY THE AMERICAN ASSOCIATION OF UNIVERSITY WOMEN (AAUW) OF THE 1990 CORPORATE CHILD CARE AWARD TO THE BOARD OF SUPERVISORS FOR THE COUNTY'S COMMITMENT TO THE CHILD CARE NEEDS OF THE COUNTY EMPLOYEES AND CITIZENS OF FAIRFAX COUNTY (TAPE 1)

Tonya Al-Khafaji, Vice-President, McLean Area Branch, Carol Lemmon, Vice-President, State of Virginia Division, American Association of University Women (AAUW), and Barry Reisig, President, Employer Child Care, presented to the Board of Supervisors the 1990 Corporate Child Care Award for the County's commitment to the child care needs of the County employees and citizens of Fairfax County.

CM:CM

4. 10:15 A.M. - BOARD DECISION ON THE APPOINTMENTS OF REPRESENTATIVES FROM THE ANNANDALE, MOUNT VERNON, PROVIDENCE, AND SPRINGFIELD DISTRICTS TO THE FAIRFAX COUNTY SCHOOL BOARD (TAPE 2)

[NOTE: In accordance with Virginia Code §22.1-29.1 (Supp. 1989), the Board of Supervisors held a public hearing on June 4, 1990 to receive the views of citizens on the appointment of representatives from the Annandale, Mount Vernon, Providence, and Springfield Districts to the School Board. "....at least seven days prior to the appointment of any School Board Member....the appointing authority shall hold a public hearing to receive the views of citizens....No nominee whose name has not been considered at the public hearing shall be appointed...."]

Supervisor Bulova moved the reappointment of Ms. Laura I. McDowall as the Annandale District Representative. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Armando M. Rodriguez as the Mount Vernon District Representative. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Hanley moved the reappointment of Ms. Latricia Fleetwood as the Providence District Representative. This motion was seconded by Supervisor Davis and carried by unanimous vote.

Supervisor McConnell moved the reappointment of Dr. Anthony Cardinale as the Springfield District Representative. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

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

ADVISORY SOCIAL SERVICES BOARD

Chairman Moore moved the appointment of Ms. Patricia McGill Smith as the At-Large Representative to the Advisory Social Services Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

AGRICULTURAL AND FORESTAL DISTRICTS ADVISORY COMMITTEE

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

ATHLETIC COUNCIL

Chairman Moore moved the appointment of Mr. Andy Cole as the At-Large Representative to the Athletic Council. This motion was seconded by Supervisor Pennino 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 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 Builder Representative to the Board of Equalization of Real Estate Assessments was deferred.)

CIVIL SERVICE COMMISSION

Chairman Moore moved the appointment of Mr. Frank Alston as the At-Large Representative to the Civil Service Commission. This motion was seconded by Supervisor Alexander.

Supervisor Hyland moved the appointment of Mr. Donald Smith as the At-Large Representative to the Civil Service Commission. This motion was seconded by Supervisor McConnell.

By a show of hands vote Mr. Frank Alston was appointed as the At-Large Representative to the Civil Service Commission.

COMMUNITY ACTION ADVISORY BOARD

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

Supervisor Richards moved the appointment of Ms. Mary Cooper as the Dranesville District Representative to the Community Action Advisory Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

COMMUNITY CORRECTIONS RESOURCES BOARD

Chairman Moore moved the reappointment of Ms. Lisa McGrady as the At-Large Representative to the Community Corrections Resources Board. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

Supervisor Hanley moved the reappointment of Mr. Arthur Gabler as the At-Large Representative to the Community Corrections Resources Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Davis moved the reappointment of Mr. Cuong Tu Nguyen as the At-Large Representative to the Community Corrections Resources Board. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

CONSUMER PROTECTION COMMISSION

Supervisor Hyland moved the reappointment of Ms. Mary Jo Tandy as the At-Large (Resident) Representative to the Consumer Protection Commission. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Davis moved the reappointment of Ms. Juanita Balenger as the At-Large Representative to the Consumer Protection Commission. 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.)

ECONOMIC DEVELOPMENT AUTHORITY

Supervisor Pennino moved the reappointment of Mr. James Popino as the At-Large (Citizen) Representative to the Economic Development Authority. This motion was seconded by Supervisor Davis and carried by unanimous vote.

Supervisor Pennino moved the reappointment of Mr. Michael Horwatt as the At-Large (Citizen) Representative to the Economic Development Authority. This motion was seconded by Supervisor Davis and carried by unanimous vote.

ELECTRICAL ADVISORY AND LICENSING BOARD

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

ENGINEERING STANDARDS REVIEW COMMITTEECONFIRMATIONS:

Supervisor Pennino moved that the Board confirm the following appointments to the Engineering Standards Review Committee:

- Mr. Gary L. Yowell, as the Virginia Department of Transportation Representative;
- Mr. Randall S. Stouder, as the Office of Comprehensive Planning Representative; and
- Mr. Donald L. Croll, as the Department of Environmental Management Representative.

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

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

Supervisor Pennino moved that the Board confirm the appointment of Ms. Marisol Estrella as the Student Representative to the Environmental Quality Advisory Council. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

EROSION AND SEDIMENT CONTROL REVIEW BOARD

Supervisor Bulova moved the reappointment of Mr. Robert Steeves as the At-Large (Citizen/Resident of Fairfax County/Principal) Representative to the Erosion and Sediment Control Review Board. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Chairman Moore moved the reappointment of Ms. Grace L. Dubas as the At-Large (Citizen/Resident of Fairfax County/Principal) Representative to the Erosion and Sediment Control Review Board. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Richards moved the reappointment of Mr. Frank B. Crandall as the At-Large (Citizen/Resident of Fairfax County/Alternate) Representative to the Erosion and Sediment Control Review Board. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

[NOTE: The appointment of the At-Large (Citizen/Resident of Fairfax County/Alternate) Representative to the Erosion and Sediment Control Review Board was deferred.]

CONFIRMATIONS:

Supervisor Davis moved that the Board confirm the following appointments to the Erosion and Sediment Control Review Board:

- Mr. Conrad J. Brewer, P.E. as the Virginia Society of Professional Engineers (Principal) Representative;
- Mr. John W. Ewing, P.E. as the Virginia Society of Professional Engineers (Alternate) Representative;
- Mr. Robert T. Bishop as the Northern Virginia Building Industry Association or Association of Builders and Contractors, Incorporated or Heavy Construction Contractors Association (Principal) Representative; and
- Mr. Robert E. Kohnke, as the Northern Virginia Soil and Water Conservation District (Principal) Representative.

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

#### FAIRFAX COUNTY AIRPORTS ADVISORY COMMITTEE

Supervisor Richards asked unanimous consent that the Board direct staff to determine why a representative from the Dranesville Business District is included on the Fairfax County Airports Advisory Committee. Without objection it was so ordered.

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

#### FAIRFAX/FALLS CHURCH COMMUNITY SERVICES BOARD

Supervisor Pennino moved the reappointment of Ms. Susan E. Jones as the Centreville District Representative to the Fairfax/Falls Church Community Services Board. This motion was seconded by Chairman Moore and carried by unanimous vote.

Supervisor Richards moved the reappointment of Ms. Jane Kornblut as the Dranesville District Representative to the Fairfax/Falls Church Community Services Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Hyland moved the appointment of Mr. Clarence A. Johnson as the At-Large Representative to the Fairfax/Falls Church Community Services Board. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Hanley moved the reappointment of Ms. Karen Mulligan as the Providence District Representative to the Fairfax/Falls Church Community Services Board. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

#### CONFIRMATIONS:

Supervisor Pennino moved that the Board confirm the appointment of Ms. Edith Trott, as the Fairfax City Representative to the Fairfax/Falls Church Community Services Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

#### GROUP RESIDENTIAL FACILITIES COMMISSION

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

#### HEALTH SYSTEMS AGENCY BOARD

Supervisor Pennino moved the reappointment of Mr. Charles R. Smith as the At-Large (Consumer) Representative to the Health Systems Agency Board. This motion was seconded by Supervisor Davis and carried by unanimous vote.

Supervisor Davis moved the reappointment of Ms. Ellen L. Barbaro as the At-Large (Provider) Representative to the Health Systems Agency Board. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Chairman Moore moved the reappointment of Mr. Donald L. Harris as the At-Large (Provider) Representative to the Health Systems Agency Board. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

### HISTORY COMMISSION

Supervisor Richards moved the appointment of Mr. Marty Kaplan to fill the unexpired term of Mr. Charles Shoup as the At-Large (Photographer) Representative to the History Commission. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

### HOUSING ASSISTANCE ADVISORY COMMITTEE

Supervisor Davis moved the reappointment of Mr. James C. Stephens as the Mason District Representative to the Housing Assistance Advisory Committee. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

(NOTE: The appointments of the Annandale, Springfield and Mount Vernon District Representatives to the Housing Assistance Advisory Committee were deferred.)

### JUVENILE COURT CITIZEN ADVISORY COUNCIL

(NOTE: The appointments of the Dranesville District and the At-Large Representatives to the Juvenile Court Citizen Advisory Council were deferred.)

### MECHANICAL ADVISORY AND LICENSING BOARD

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

### NORTHERN VIRGINIA COMMUNITY COLLEGE BOARD

Supervisor Bulova moved the appointment of Mr. Claiborne T. Richardson as the At-Large (Citizen) Representative to the Northern Virginia Community College Board. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

### PROJECT SELECTION COMMITTEE

(NOTE: The appointment of the Zion Drive Community Representative to the Project Selection Committee was deferred.)

Supervisor Richards moved the appointment of Reverend Ralph Bayfield as the Dranesville District Representative to the Project Selection Committee. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

SUPPLEMENTAL RETIREMENT SYSTEM BOARD OF TRUSTEES

Chairman Moore moved the reappointment of Mr. Edward Mooney as the At-Large Representative to the Supplemental Retirement System Board of Trustees. This motion was seconded by Supervisor Davis and carried by unanimous vote.

CONFIRMATION:

Supervisor Davis moved that the Board confirm the appointment of Mr. Donald C. Lay as the Fairfax County Employee Representative to the Supplemental Retirement System Board of Trustees. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

TRANSPORTATION ADVISORY COMMISSION

Chairman Moore moved the reappointment of Ms. Linda Puller as the At-Large Representative to the Transportation Advisory Commission. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Richards moved the reappointment of Mr. Jack R. Gilstrap as the Dranesville District Representative to the Transportation Advisory Commission. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Bulova moved the reappointment of Mr. Don Emerson as the Annandale District Representative to the Transportation Advisory Commission. This motion was seconded by Chairman Moore and carried by unanimous vote.

Supervisor Pennino moved the reappointment of Mr. Joe Stowers as the Centreville District Representative to the Transportation Advisory Commission. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. O. Davis Brown as the Mount Vernon District Representative to the Transportation Advisory Commission. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Supervisor Alexander moved the reappointment of Mr. Robert J. Heittman as the Lee District Representative to the Transportation Advisory Commission. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Hanley moved the reappointment of Mr. Philip D. Servidea as the Providence District Representative to the Transportation Advisory Commission. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Davis moved the reappointment of Mr. Jack Rust as the Mason District Representative to the Transportation Advisory Commission. This motion was seconded by Supervisor Pennino and carried by unanimous vote.



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

#### UNIFORMED RETIREMENT SYSTEM

Supervisor Pennino moved the reappointment of Mr. Charles O. Pflugrath as the At-Large (Citizen) Representative to the Uniformed Retirement System. This motion was seconded by Supervisor Alexander.

Chairman Moore moved the appointment of Mr. Brant Baber as the At-Large Representative to the Uniformed Retirement System.

Supervisor Richards moved the reappointment of Mr. Littell G. McClung as the At-Large (Citizen) Representative to the Uniformed Retirement System. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Chairman Moore withdrew her motion.

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

#### CONFIRMATION:

Supervisor Hyland moved that the Board confirm the appointment of Mr. Hugh Wood as the Fire and Rescue Department Representative to the Uniformed Retirement System. This motion was seconded by Chairman Moore and carried by unanimous vote.

#### VOLUNTEER FIRE COMMISSION

##### CONFIRMATIONS:

Supervisor Hyland moved that the Board confirm the following appointments to the Volunteer Fire Commission:

- Mr. William Cline as the Annandale Volunteer Fire Department Representative;
- Mr. John Ryan as the Springfield Volunteer Fire Department Representative; and
- Mr. David Miska as the Volunteer Chiefs Association Representative.

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

WATER AUTHORITY

Supervisor Hyland moved the reappointment of Mr. Bill G. Evans as the Mount Vernon District Representative to the Water Authority. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Davis moved the reappointment of Mr. Harry Day as the Mason District Representative to the Water Authority. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor McConnell moved the reappointment of Mr. Burton J. Rubin as the Springfield District Representative to the Water Authority. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

AD-HOCSCITIZENS COMMITTEE ON SOLID WASTE AND DISPOSAL MATTERS

[NOTE: The appointments of the At-Large (Alternate) and the Mason District Representatives to the Citizens Committee on Solid Waste and Disposal Matters were deferred.]

Supervisor Alexander asked unanimous consent that the Board direct staff to review the number of members on the Citizens Committee on Solid Waste and Disposal Matters to determine if there are any vacancies on this committee. Without objection it was so ordered.

CONFIRMATION:

Supervisor Pennino moved that the Board confirm the appointment of Mr. Timothy E. Daly as the General Assembly Delegation Representative to the Citizens Committee on Solid Waste and Disposal Matters. This motion was seconded by Supervisor Hyland 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 (PSAC) was deferred.]

VLL:VLL

6. DISCUSSION REGARDING WHETHER MAJOR APPOINTMENTS TO BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS (BACS) SHOULD BE COTERMINOUS WITH THE TERMS OF OFFICE FOR THE BOARD OF SUPERVISORS (TAPE 3)

(BACs)

Chairman Moore referred to a memorandum that had been distributed to Board Members on May 16, 1990 from Michael Long, Assistant County

Attorney, responding to the issue of whether major appointments to Boards, Authorities, Commissions and Advisory Groups (BACs) should be coterminous with the terms of office for the Board of Supervisors. She relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to report, as expeditiously as possible, with a list of actions needed to be taken by the Board to proceed along those lines.

Supervisor Bulova stated that it was her understanding from the memorandum that staff was requesting guidance from the Board in order to determine what major BACs the Board desired for coterminous appointment. She asked that the request be amended to include that the Board direct staff to review for coterminous appointments the following BACs: Citizens Budget Oversight Committee (CBOC), Transportation Advisory Commission (TAC), Water Authority, School Board, Planning Commission, Park Authority, and the Fairfax County Redevelopment and Housing Authority (FCRHA).

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

- Refer to the Board Procedures Subcommittee for its review and recommendation the issue of coterminous appointments for major BACs; and
- Request that individual Board Members submit to the Board Procedures Subcommittee (Supervisor Davis-Chairman) their list of major BACs for consideration.

This amendment was accepted.

Supervisor Alexander returned the gavel to Vice-Chairman Pennino.

Supervisor Davis, Chairman, Board's Procedure Subcommittee, reported that the Subcommittee will report with recommendations prior to the next Board of Supervisors' meeting scheduled for July 9, 1990.

In order for the Board Procedures Subcommittee to honor the sense of the Board, Supervisor Davis queried whether it was desired that the appointments be coterminous within 18 or six months.

Following discussion, Vice-Chairman Pennino relinquished the Chair to Acting-Chairman Alexander and asked that the request be amended further to include that individual Board Members, when submitting their lists of major BACs to the Board Procedures Subcommittee, to also indicate the length of time that they feel would be appropriate for School Board Members to serve after a newly-elected Board of Supervisors takes office, and this was accepted.

Supervisor Alexander returned the gavel to Vice-Chairman Pennino.

Supervisor Moore stated, for the record and in lieu of submitting a memorandum to the Board Procedures Subcommittee, that as important as the policy is on the School Board where the Board of Supervisors does not have review powers over education issues however is held accountable to those issues, that she felt that it is important that the elected officials have, within six months, the authority to make a new appointment.

To assist the Board Procedures Subcommittee in its decision-making process, Supervisor Richards suggested that the Clerk to the Board prepare a chart showing whether there were many appointment changes made to the School Board during the past 20 years because of the Board of Supervisors' elections. Vice-Chairman Pennino stated that, while the chart may be interesting, she felt it was not needed by the Board Procedures Subcommittee.

Vice-Chairman Pennino relinquished the Chair to Acting-Chairman Alexander and asked that the request be further amended to direct staff to:

- Research the record regarding the specific legislation and its particulars; and
- Forward its response to the Board Procedures Subcommittee to ensure the legality of the Subcommittee's subsequent recommendation to the entire Board.

This amendment was accepted.

Supervisor Alexander returned the gavel to Vice-Chairman Pennino.

Following further discussion, the request as amended, was so ordered.

7. UPCOMING APPOINTMENTS TO THE ROUTE 28 HIGHWAY  
TRANSPORTATION IMPROVEMENT DISTRICT COMMISSION  
(TAPE 3)

(BACs)

Supervisor Moore announced that the Route 28 Highway Transportation Improvement District Commission had met last week and recommended that appropriate appointments be made to the Route 28 Highway Transportation District Advisory Board. She asked unanimous consent that the Board direct the Clerk to the Board to schedule these appointments to be heard before the Board at its meeting scheduled for July 9, 1990. Without objection, it was so ordered.

8. APPOINTMENTS TO THE TYSONS CORNER TASK FORCE  
(TAPE 3)

(APPT)

Supervisor Moore stated that the Tysons Corner area embraces three magisterial districts and has been designated by staff as the County's new urban center in the Draft Policy Plan. Recognizing that the Tysons Corner area has unique land-use and transportation issues that cannot be adequately addressed during the Phase Two process of the Planning Horizons by a single magisterial district task force, she called to the Board's attention that action had been taken at its meeting held on January 29, 1990 to establish a Board-appointed Tysons Corner Task Force.

Supervisor Moore asked unanimous consent that the Board appoint the following individuals to serve on the Tysons Corner Task Force as At-Large Representatives:

- Ms. Ruth Carver;
- Mayor Charles A. Robinson, Jr.; and
- Ms. Sylvia Auten.

Without objection, it was so ordered.

9. DISCUSSION REGARDING HOUSE BILL (HB) 911  
RELATED TO VOLUNTEER LIABILITY (TAPE 3)

Supervisor Moore referred to a memorandum that she had received from Craig M. Crenshaw, Chairman, Commission on Aging, requesting Board support for legislation pending in the Congress related to volunteer liability. She stated that House Bill (HB) 911 encourages States to pass legislation that would grant immunity from personal civil liability to volunteers working on behalf of non-profit organizations and government entities. She asked unanimous consent that the Board direct staff to review the pending legislation and report to the Board as soon as possible with recommendations.

Supervisor Hyland asked that the request be amended to include that the Board direct staff, in its review, to address the differences between HB 911 and the current Maryland and Virginia State statutes.

Without objection, the amended request was so ordered.

10. BOARD ENDORSEMENT OF ALEXANDRIA YOUNG MEN'S  
CHRISTIAN ASSOCIATION'S (YMCA) GRANT  
APPLICATION FOR A RESOURCE MOTHERS  
PROGRAM FOR TEENAGERS IN THE  
SOUTHERN PORTION OF FAIRFAX  
COUNTY (TAPE 3)

Supervisor Moore referred to a memorandum distributed to Board Members from Marlene Blum, Chairman, Health Care Advisory Board (HCAB),

regarding the Alexandria Young Men's Christian Association's (YMCA) grant application for a Resource Mothers Program for teenagers in the southern portion of Fairfax County. She stated that the Alexandria YMCA's proposal is modeled on a successful Fairfax County YMCA program currently operating in the Falls Church/Annandale area. She stated that the Alexandria YMCA, in developing its proposal, had received cooperation by County staff and a letter of support from Verdia A. Haywood, Deputy County Executive for Human Development.

In response to the request of the HCAB, Supervisor Moore asked unanimous consent that the Board direct staff to prepare, for her signature, a letter of Board endorsement for the Alexandria YMCA's proposal to be directed to:

Alice S Linyear, Director  
Maternal and Child Care Health Division  
Virginia Department of Health

Without objection, it was so ordered.

11. DEVELOPMENT OF PROCESS FOR REVIEWING  
APPLICATIONS FOR OPEN SPACE EASEMENTS  
ON PARCELS OF LAND CONTAINING LESS  
THAN 25 ACRES (TAPE 3)

Supervisor Moore called to the Board's attention the fact that she had received inquiries from numerous citizens owning parcels of land containing less than 25 acres, many of whom are long-time County residents who have no desire to develop their property, who are paying enormous taxes based on the development potential of their parcels, and who would like to apply for an open space easement. One particular case, she stated, has remained unresolved for over 18 months because the County does not have a formal process to review and make recommendations for these types of requests. She stated that these cases fall under the purview of the Open Space Land Act rather than within the jurisdiction of the Code of the County of Fairfax, Chapter 114 [Agricultural and Forestal (A/F) Districts of Statewide Significance] for application for an A/F District.

Supervisor Moore moved that the Board direct staff to:

- Develop a three-part process involving the Office of Comprehensive Planning (OCP), County Attorney, and Office of Assessments for reviewing applications for open space easements on parcels of land under 25 acres;
- Outline criteria or guidelines for accepting such applications.

- Present to the Board for its consideration the formal process and criteria/guidelines prior to its scheduled August Recess or as soon as possible in early fall.

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

12. ENDORSEMENT OF GOVERNORS' JOB TRAINING  
COORDINATOR COUNCIL'S RESOLUTION  
REGARDING OLDER WORKER TRAINING (TAPE 3)

Supervisor Moore referred to a memorandum that she had received from Craig M. Crenshaw, Chairman, Commission on Aging, announcing the Governors' Job Training Coordinator Council's adoption of a resolution that included recommendations concerning older worker training. She asked unanimous consent that the Board direct staff to review the resolution and report with recommendations. Without objection, it was so ordered.

13. BRIEFING REGARDING THE INFORMATIONAL MEETING  
HELD FOR RESIDENTS OF THE BROYHILL PARK  
COMMUNITY TO ADDRESS ZONING AND  
TRANSPORTATION ISSUES (TAPES 3-4)

Supervisor Moore briefed Board Members on the meeting held last Saturday, June 23, 1990 with the residents from Broyhill Park Community, one of Fairfax County's older residential neighborhoods, to address zoning and transportation issues that had been raised at the Broyhill Park Citizens Association meeting held last month. She stated that, along with herself, the following individuals had been present to address the issues: Supervisor Davis, Supervisor Hanley, Senator Emilie F. Miller, and appropriate staff from the County and the Virginia Department of Transportation (VDOT).

Supervisor Moore called to the Board's attention that approximately 100 individuals, both from Broyhill Park Community and other surrounding communities, had been in attendance to discuss the concerns that are common to many of the County's more mature communities. In an effort to address the concerns, she asked unanimous consent that the Board direct staff to:

- Report with a Board Package Item for authorization to advertise a public hearing on recommended ordinance changes to strengthen the current occupancy laws to limit the maximum number of individuals who can occupy one dwelling;
- Examine ordinances currently in effect in Arlington County, as well as other jurisdictions, that regulate the height of

grass and report with recommendations for similar measures that could be taken by Fairfax County;

- Make available, as expeditiously as possible, basic zoning enforcement information in at least the following three major non-English languages spoken by County residents: Spanish, Korean, and Vietnamese; and
- Work cooperatively with VDOT staff on cut-through policies and procedures to address the traffic problems presently encountered in the Broyhill Park area, in particular: Marc Drive, Camp Alger Avenue, and Hickory Hill Road.

For the sake of clarity, Vice-Chairman Pennino suggested that the Board consider each item individually, and this was accepted.

Following discussion regarding Arlington County's Care of the Premises Ordinance, Supervisor Moore moved that the Board:

- Direct staff to report with a Board Package Item for authorization to advertise a public hearing on recommended ordinance changes to strengthen the current occupancy laws to limit the maximum number of individuals who can occupy one dwelling;
- Direct staff to examine ordinances currently in effect in Arlington County, as well as other jurisdictions, that regulate the height of grass and report with recommendations for similar measures that could be taken by Fairfax County; and
- Direct the County Attorney to request an opinion from the Attorney General on the validity of Arlington County's Care of Premises Ordinance.

This motion was seconded by Supervisor Bulova.

Following further discussion, with input from David T. Stitt, County Attorney, the question was called on the motion which carried by a recorded vote of eight, Supervisor Richards voting "NAY."



Supervisor Moore asked unanimous consent that the Board direct staff to work jointly with VDOT staff to develop a cut-through policy that would address the traffic problems presently encountered in the Broyhill Park area, in particular: Marc Drive, Camp Alger Avenue, and Hickory Hill Road.

Supervisor Bulova called to the Board's attention the fact that there is a current VDOT policy whereby the County is required to work cooperatively with VDOT in cases where a petition has been received by a neighborhood that feels it has been impacted by traffic.

Following discussion, with input from Supervisor Hanley, Supervisor Moore withdrew her request.

Supervisor Moore asked unanimous consent that the Board direct staff to give priority to requesting VDOT to improve safety at the intersection of Route 50 and Fairview Park Drive.

Supervisor Hanley clarified that it is not exactly the intersection of Route 50 and Fairview Park Drive but the off-ramp on the Beltway (Interstate 495) that merges traffic from the Beltway going north onto Route 50, and Supervisor Moore accepted this clarification.

Supervisor Davis asked staff to update the Board on the outstanding Zoning Inspector vacancies in the Office of Comprehensive Planning (OCP).

J. Hamilton Lambert, County Executive, reported that these vacancies should be filled by July 1, 1990.

Without objection, the priority request to VDOT to improve safety at the off-ramp on the Beltway that merges traffic from the Beltway going north onto Route 50, was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

14. SECRETARY OF HEALTH REQUESTS COMMENTS  
ON CHANGES TO THE CERTIFICATE OF NEED  
PROGRAM (TAPE 4)

Supervisor Hyland stated that Howard Cullum, Secretary of Health and Human Resources, who is required by law to report on the effects of the partial repeal of the Certificate of Public Need Program enacted in 1989, has requested input from the Members of the Virginia Municipal League (VML).

Supervisor Hyland stated that Secretary Cullum is seeking information or comments on the effects of the change made which generally deleted the Certificate of Public Need requirements for the establishment of certain new medical services, the purchase of major medical equipment, and the provision of nursing home beds, general hospitals, and specialized centers. In addition, Secretary Cullum would also like to receive data and perspectives on other factors that affect the quality, cost, and accessibility of health care, as well as suggestions for alternatives to the program and its review process.

Supervisor Hyland asked unanimous consent that the Board direct staff, in coordination with the Health Care Advisory Board (HCAB) and the Fairfax Hospital Association, to submit comments on these issues prior to June 30, 1990 to:

John A. Rupp, Director  
Virginia Health Services Cost Review Council  
805 East Broad Street, Sixth Floor  
Richmond, Virginia 23219

Without objection, it was so ordered.

15. VIRGINIA MUNICIPAL LEAGUE (VML) REQUEST FOR  
COPIES OF COUNTY SMOKING AND LEAF COLLECTION  
ORDINANCES (TAPE 4)

In response to a request by the Virginia Municipal League (VML), Supervisor Hyland asked unanimous consent that the Board direct staff to forward the following ordinances as soon as possible to:

Ms. Annett Madison, Legal Intern  
Virginia Municipal League  
Post Office Box 12164  
Richmond, Virginia 23241

Information requested:

- Ordinances implemented by Fairfax County as a result of the Virginia Indoor Clean Air Act (Senate Bill 150);
- Existing smoking ordinances; and
- Ordinances implemented by Fairfax County that charge a separate fee for leaf collection services.

Without objection, it was so ordered.

16. POSSIBLE USE OF SODIUM HYPOCHLORITE AT THE  
I-95 MASS BURN FACILITY (TAPE 4)

Supervisor Hyland stated that at the Board of Supervisors' meeting held on December 11, 1989, action had been taken to request staff to study wastewater treatment to determine whether the County could switch from using liquid chlorine. He noted that, as a result of that action, it had been determined feasible and the implementation of that conversion is currently going on.

At that time, Supervisor Hyland stated that he had not been aware that the mass burn incinerator also uses liquid chlorine in the pretreatment of its waste water. Because of the dangers and known risks when using and storing this unstable chemical, the significant amount of methane at the I-95 Landfill, and in the interest of safety for the employees at the Facility and the surrounding neighborhood, Supervisor Hyland asked unanimous consent that the Board:

- Direct staff to determine the feasibility of converting to the use of sodium hypochlorite at the Mass Burn Facility; and
- Direct staff to investigate the costs involved and report with recommendations.

Without objection, it was so ordered.

17. MONTGOMERY COUNTY'S COMMON OWNERSHIP  
COMMUNITIES ORDINANCE (TAPE 4)

Supervisor Hyland called the Board's attention to a copy of Montgomery County's Common Ownership Communities Ordinance. He stated that, under this ordinance, an Office of Common Ownership Communities is created which must, among other things:

- Research, assemble, analyze, and disseminate pertinent data and educational materials about activities and programs which assist common ownership communities; plan and conduct educational and other program meetings and conferences to promote the operation of common ownership communities;
- Maintain a roster of homeowners' associations, condominiums and co-ops, their leadership and their professional management companies;
- Develop and maintain an information and referral system for all services in the County related to common ownership communities and recommend other services when needed;
- Provide technical assistance to association governing bodies on matters such as transition, elections, rules adoption and enforcement, selection of association managers, stormwater management and other services; and

- Operate a dispute resolution process to furnish mediation and administrative hearings.

Supervisor Hyland stated that the Tenant-Landlord Commission has no authority over condominium associations or homeowners associations although the Commission receives numerous inquiries for assistance from homeowners in developments controlled by such associations. He stated that Fairfax County should seek authority to implement procedures designed to render assistance to such homeowners, to include the opportunity for arbitration and reconciliation of disputes.

Supervisor Hyland asked unanimous consent that the Board:

- Refer Montgomery County's Common Ownership Communities Ordinance to the County Attorney's Office and the Tenant-Landlord Commission for their review and recommendation; and
- Direct staff to report with their comments and recommendations to the Board of Supervisors as well as the Board's Legislative Subcommittee for consideration of a legislative request on this matter.

Without objection, it was so ordered.

18. HOUSEHOLD HAZARDOUS WASTE SIGNAGE (TAPE 4)

Supervisor Hyland stated that because the household hazardous waste program is such a success and, as the program is publicized, more individuals will be using the permanent disposal sites. He stated that he felt it would be prudent to post signs in the designated areas, showing exactly where the permanent sites are, as well as the dates and hours of operation and directions.

Accordingly, Supervisor Hyland asked unanimous consent that the Board direct staff to provide cost information for the possible implementation of providing directional and informational signage for the permanent household hazardous waste disposal program. Without objection, it was so ordered.

19. REQUEST RE SENATE JOINT RESOLUTION SJR 14 (TAPE 4)

Supervisor Hyland referred to Senate Joint Resolution SJR 14 which urges local governing bodies to require certain notices to prospective purchasers of property for residential and institutional use as it pertains to the impact of aircraft noise. He stated that the General Assembly is requesting that jurisdictions consider adding language to

local zoning ordinances to the effect that anyone attempting to sell property for construction of facilities for residential or institutional use would need to alert prospective buyers in writing that the property may be adversely affected by aircraft noise because of proximity to airport approach/departure zones and that deeds recorded require the disclosure to run with the land in perpetuity.

Supervisor Hyland asked unanimous consent that the Board refer this issue to staff to:

- Determine what authority Fairfax County has to currently require such notices; and
- Report to the Board on options available to implement this resolution.

Supervisor Pennino asked that the request be amended to include that the Board also refer SJR 14 to the Fairfax County Airports Advisory Committee for its review, and this was accepted.

Without objection, the amended request was so ordered.

20. RECENT FINDINGS OF THE BOARD OF EQUALIZATION (BOE) REGARDING LARGE NUMBER OF BUSINESS TAX APPEALS FOR 1989 (TAPE 4)

Supervisor Hyland called to the Board's attention that at the conclusion of their hearings, the Board of Equalization (BOE) recently submitted a list of their findings and recommendations with respect to investment classed property assessment for 1989 indicating the principal reasons for the great number of tax appeals for this class. He distributed to Board Members copies of the conclusions and recommendations arrived at by the BOE.

Supervisor Hanley clarified that action had been taken on this issue at the Board of Supervisors' meeting held on June 4, 1990.

In response to a query by Supervisor Hyland, J. Hamilton Lambert, County Executive, briefed the Board that staff would have a response for the Board before the Board's scheduled August Recess.

21. DEFERRAL OF 456 HEARING SCHEDULED ON THE INTERSTATE I-95 LANDFILL EXPANSION (TAPES 4-5)

As a result of the meetings held by County staff for the Lorton Community, the Citizens Advisory Committee on Solid Waste Matters, and the Environmental Quality Advisory Council (EQAC), Supervisor Hyland stated that the Federation of Lorton Communities, on behalf of the people they represent, are requesting a deferral of the 456 public hearing from the scheduled Planning Commission July 19, 1990 date to a date certain allowing adequate time for public review of that

assessment. The Federation represents a large number of individual community associations who in turn discuss the issues with their associations.

Supervisor Hyland moved that the Board:

- Request the Planning Commission to defer its 456 public hearing from July 19, 1990 until September 1990 to allow adequate time for the community to review the environmental assessment prior to that hearing; and
- Waive the 60-day limitation requirement on the 456 hearing.

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

22. UNITED STATES (US) ENVIRONMENTAL PROTECTION AGENCY (EPA) REGION III POTENTIAL HAZARDOUS WASTE SITES WITHIN FAIRFAX COUNTY (TAPE 5)

Supervisor Hyland stated that recently the Virginia Department of Waste Management, at the request of the United States (US) Environmental Protection Agency (EPA) - Region III, sent to the County Executive a letter listing nine potential hazardous waste sites within Fairfax County. He stated that these sites will be further investigated by EPA to determine whether they are eligible for inclusion on the National Priorities List, a list of toxic waste sites across the country which can be addressed using the superfund money.

Supervisor Hyland stated that the sites are reported to EPA by concerned citizens, law enforcement officials, state officials and others. When EPA learns of the potential hazardous site it is then further investigated to determine whether there is a potential health or environmental risk. Accordingly, Supervisor Hyland moved that the Board direct staff to immediately provide to the Board all information regarding these potential hazardous waste sites and a status as to any corrective measures being taken concerning these sites. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Davis, Supervisor Hanley, and Supervisor McConnell being out of the room.

23. PARKING OF CONSTRUCTION VEHICLES AND DUMPSTERS OVERNIGHT IN RESIDENTIAL NEIGHBORHOODS (TAPE 5)

Supervisor Hyland referred to a letter that he had received from Roland Perry, President, Waynewood Citizens Association, requesting whether Fairfax County can control the parking of construction vehicles and dumpsters in residential communities which has apparently been the practice of home improvement contractors. His issue is one of safety.

Because most dumpsters are dark green in color, they are difficult to see when parked in the street and present a safety hazard. Supervisor Hyland stated that Mr. Perry has suggested that, as a minimum, construction vehicles and dumpsters have reflective tape or paint in order to avoid accidents. Accordingly, he asked unanimous consent that the Board refer these issues to staff to:

- Determine present rules regarding parking of dumpsters and construction vehicles on streets in residential communities;
- Determine whether Fairfax County can require that this equipment be parked off residential streets;
- Determine whether the County can require reflective tape, reflective paint or regular glass reflectors on this equipment; and
- Report to the Board whether legislative action would be necessary to remedy this problem.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked that the request be amended to include that the staff also investigate the situation of home improvement contractors leaving their construction materials on the side of the road for pick-up by the County trash service, and this was accepted.

Without objection, the amended request was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

24. FUTURE FUNCTION OF COUNTY'S GROUP RESIDENTIAL FACILITIES COMMISSION (TAPE 5)

Supervisor Hyland distributed to Board Members copies of an excerpt from his Board Matters of March 12, 1990 requesting a staff response to the Group Residential Facilities Commission's recommendations concerning the future function of the Commission. Because the issue is scheduled before the Planning Commission on Thursday, June 28, 1990, he asked unanimous consent that the Board direct staff to report to the Board as expeditiously as possible with recommendations on the Commission's future functions.

Following discussion, with input from David T. Stitt, County Attorney, Supervisor Hyland amended his request that the Board forward the Group Residential Facilities Commission's recommendations concerning the future function of the Commission to the County Attorney's Office for its review and recommendations, and this was accepted.

Without objection, the amended request was so ordered.

25. GRADUATION EXERCISES FOR THE ISLAMIC SAUDI ACADEMY  
(TAPE 5)

Supervisor Hyland briefed Board Members on the success of the Islamic Saudi Academy and its graduation exercises that had been held this past weekend.

26. DELETION OF EXECUTIVE SESSION FROM  
BOARD'S AGENDA (TAPES 5-6)

Because of the Court's recent ruling on the case between the Journal and the Board of Supervisors concerning the violation of the Freedom of Information Act (FOIA) statutes, Supervisor Hyland stated that, until such time as the Board is informed of the basis of the decision concerning this case, he could not participate in the Board's Executive Sessions.

Following discussion, with input from J. Hamilton Lambert, County Executive, and David T. Stitt, County Attorney, it was determined that the Board's Executive Session scheduled for today would be deleted from the agenda.

27. SETTLEMENT OF THE ESTATE OF JOHN F. DELUCA  
VERSUS THE BOARD OF SUPERVISORS AT LAW  
NUMBER 91741 (TAPE 6)

Supervisor Hanley moved that the Board of Supervisors authorize settlement of the estate of John F. DeLuca versus the Board of Supervisors at Law Number 91741 as recommended by County Attorney in the Legal Package. This motion was seconded by Supervisor Richards and carried by unanimous vote.

28. WATER QUALITY IN REGIONAL STORMWATER  
DETENTION WET PONDS AND RESTOCKING OF  
ROYAL LAKE (TAPE 6)

Supervisor Bulova stated that last week she had met with several representatives of the Kings Park West Civic Association regarding conditions at Royal Lake.

Supervisor Bulova stated that last summer, area residents who frequent Royal Lake noticed a white substance floating in the northeast end of the lake. John McAnaw, Kings Park West Parks and Lakes Chairman, began what became a very frustrating process to determine what the substance was. He was concerned that the white material may be toxic and could affect the overall water quality and the fish in the lake. He was bounced around from Public Works, to the Health Department, to the Soil and Water Conservation Districts, to the State Water Control Board, and to several other agencies. After much difficulty, water samples were finally taken and the substance was identified.

To prevent a reoccurrence of Mr. McAnaw's difficulties in having water quality tested and source of pollution investigated, Supervisor Bulova



asked unanimous consent that the Board direct staff to draft a Standard Operating Procedure (SOP) to share with all civic and homeowner associations when a potential water quality problem is suspected, particularly in a regional wet pond. The SOP should include a point of contact and telephone number, including who to call during non-working hours. Without objection, it was so ordered.

Supervisor Bulova called to the Board's attention another item that was discussed involving the restocking of the lake following its recent dredging. Apparently this is handled by a State Agency and there is some question about whether they should continue to restock a lake that is periodically dredged. She stated that staff from the Department of Public Works has informed her that, with the completion of the recent clam shell dredging operation at Lake Royal, it should be another five to ten years before another dredging will be needed. In addition, she stated that KPW President, Joan Harrison, has shown her documents whereby a commitment was made by the County to the community that the lake would be stocked, if not by state, then by the County.

Supervisor Bulova moved that the Board honor its commitment and direct staff to initiate the restocking of Royal Lake as soon as possible. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Davis and Supervisor Hanley being out of the room.

29. REVISION TO POLICY CONCERNING PUBLIC COMMENT TIME (TAPE 6)

- (P) Supervisor Bulova stated that periodically she is contacted by people who are disappointed that they have not been able to sign up to speak at Public Comment time. She stated that throughout the past few months, the list has rarely contained 10 persons. One complaint is that groups are faxing in lists of persons to speak about one subject and taking up the entire allotted time.

To prevent this from occurring, Supervisor Bulova asked unanimous consent that the Board revise its Policy concerning Public Comment: that when a list of persons is received to speak on one subject, they be asked to designate one speaker to articulate their views. The speaker for a group may be allowed five minutes instead of three. Without objection, it was so ordered.

30. SPEAKERS LIST POLICY (TAPE 6)

On a related matter, Supervisor Bulova stated that recently she had been told that a person wanting to speak at a public hearing was told that the list was filled up and that he would not have an opportunity to speak. The person was not told that if he came to the hearing, persons not signed up to speak would be able to do so once persons on the list were finished. Supervisor Bulova asked unanimous consent that the Board direct staff to ensure that persons taking calls from prospective speakers know what the Board's correct procedure is. Without objection, it was so ordered.

31. COMMENTS REGARDING COMMUTER RAIL (TAPE 6)

In order to allow the Fairfax County commuter rail stations to be completed by October 1991, the construction of the parking lots and station facilities must begin before the end of December 31, 1990. To accomplish this, Supervisor Bulova stated that various County agencies must review and approve the stations and parking facilities in a condensed time frame. Accordingly, Supervisor Bulova moved that the Board direct the County Executive to expedite and concurrently process the Special Exception Application and Site Plan review for each station and parking facility. This motion was jointly seconded by Supervisor Alexander, Supervisor Hyland, and Supervisor McConnell and carried by a vote of six, Supervisor Davis, Supervisor Hanley, and Supervisor Richards being out of the room.

PMH:PMH

32. RELOCATION OF MOLSON BREWERIES, INCORPORATED TO RESTON (TAPE 6)

Supervisor Pennino announced that Molson Breweries, Incorporated, the American subsidiary of Canada's largest beer manufacturer is moving its headquarters to Reston. She said that the company is moving to One Fountain Square in the new Reston Town Center. She added that Molson plans to combine the company's offices from Baltimore and North Hills, New York.

Supervisor Pennino pointed out that the move indicates that Fairfax County is still a great place for business and industry to locate.

33. CLARIFICATION OF BOARD ACTION ON MAY 21, 1990 REGARDING THE WIDENING OF CENTREVILLE ROAD (TAPE 6)

Supervisor Pennino stated that on May 21, 1990, the Board approved action for Centreville Road which established a western alignment, gave priority to acquisition of a six-lane right-of-way, and approved construction of four-lanes now with all intersection improvements to six-lanes. She said that in her discussions of the issues she mentioned that the right-of-way acquisition for six-lanes was important for the future, but that the need for actual widening to six-lanes should be reevaluated after Route 28, the Fairfax County Parkway, and West Ox Road were completed and used.

Supervisor Pennino said that in reading the Clerk to the Board's Summary it was not evident that this qualified reevaluation was part of the motion. Therefore, as a point of clarification, Supervisor Pennino asked unanimous consent that the Board direct the Clerk to clarify the motion to include that the need for the widening of Centreville Road to six-lanes should be reevaluated after improvements to Route 28, the Fairfax County Parkway, and West Ox Road are completed. Without objection, it was so ordered.

34. FAIRFAX COUNTY NOISE ORDINANCE (TAPE 6)

Supervisor Pennino stated that she had been informed that jets at Dulles Airport are frequently testing their engines at full throttle for extended periods (five to 10 minutes) for each test and in some cases for more than an hour. She said that she has been advised that the noise is severe and the testing is often done at 3:00 or 4:00 a.m.

Supervisor Pennino moved that the Board direct staff to:

- Investigate this issue to determine whether the Fairfax County Noise Ordinance restricts this kind of noise; and
- If so, what can be done to resolve this issue.

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

35. DRAFT POLICY REGARDING DONATED OR LOANED ART WORKS (TAPE 7)

Supervisor Pennino reminded the Board that an artist from the Soviet Union had offered to place a sculpture on County-owned land. She said that recently she dedicated a sculpture which was placed on community owned land at Lake Newport Swimming Pool located in Reston.

Supervisor Pennino said that on July 11, 1988 she requested the County Executive assist the County Council of the Arts in setting up a policy for the Board of Supervisors to use when accepting donated or loaned art works to be placed on County-owned land or in County-owned facilities. Supervisor Pennino stated that the County Council of the Arts drafted a policy that went beyond what was requested and has caused a hold on the policy due to a "percent for public instruction ordinance" which means that a percentage of funds donated at the time of rezonings with proffers would be used for public art. She noted that Fairfax County is not ready for this concept at this time. She added that the acquired art draft policy requires input from several County agencies regarding particular County requirements. She said that the Council of the Arts and the Ad-Hoc Citizen Committee which prepared the draft are prepared to work with the various County agencies to make the necessary revisions so that the draft can be brought before the Board for final action.

Therefore, Supervisor Pennino moved that the policy come before the Board for consideration to address only the issues of donated or loaned art works to be placed on or in County-owned property and that the policy be submitted by mid-October. This motion was seconded by

Supervisor Bulova and carried by a vote of six, Supervisor Davis, Supervisor Hanley, and Supervisor McConnell being out of the room.

36. PROPOSED AMENDMENT TO THE CODE OF VIRGINIA.  
TITLE 36, HOUSING (TAPE 7)

Supervisor Pennino referred to the North Gate Square Townhouses and stated that these townhouses were constructed over 20 years ago and had suffered severe structural damage caused by shifts that occurred in the land. She said that the County was instrumental in assisting some of the homeowners in making extensive repairs necessary to inhabit their homes. She added that during the episode it became apparent that the loans which provided the government assistance could be applied only to those persons who qualified as low-income. The problem that occurred for the owners of the townhouses in acquiring loans for repair was that they had no collateral because their homes were not in good repair. She explained that through the Fairfax County Housing and Redevelopment Authority (FCRHA) some of the low income residents were able to qualify for loans. She pointed out that some of the residents were moderate income persons who were unable to qualify for a loan.

Therefore, Supervisor Pennino moved that the County Executive include in the legislative package to the General Assembly an amendment to the Code of Virginia, Title 36, Housing, to allow loans to low and moderate income persons. This motion was seconded by Supervisor Davis and carried by a vote of seven, Supervisor Hanley and Supervisor McConnell being out of the room.

37. REESTABLISHMENT OF THE PLANNED RESIDENTIAL  
COMMUNITY (PRC) DISTRICT TASK FORCE (TAPE 7)

(BACS)  
(APPT)

Supervisor Pennino stated that a group of citizens from Reston had met with Chairman Moore to discuss concerns that apply to their community. She said that prior to the start of the County review of the Comprehensive Plan she established a Comprehensive Plan Task Force to review the issues that specifically pertain to Reston and Planned Residential Community (PRC) Districts. Once the review was completed, the Task Force was dissolved. She said that due to the fact that most of the effort went to the review of the commercial and industrial districts, the review of the PRC Districts was placed on the "back burner." Therefore, Supervisor Pennino moved:

- The reestablishment of the Comprehensive Plan Task Force to work with staff in drafting changes to the PRC District ordinance; and
- That the Task Force be comprised of 11 members to be appointed as follows:

Three citizens from Reston:

- \* Two members to be appointed by the Centreville District Supervisor; and
- \* One At-Large member to be appointed by the Chairman of the Board.

Three Citizens from Burke Centre:

- \* Two members to be appointed by the Springfield District Supervisor; and
- \* One member to be appointed by the Chairman of the Board.

Five business representatives:

- \* Two members to be appointed by the Centreville District Supervisor;
- \* Two members to be appointed by the Springfield District Supervisor; and
- \* One member to be appointed by the Chairman of the Board.

This motion was seconded by Chairman Moore and carried by unanimous vote.

Supervisor Pennino moved the following appointments:

- Mr. David Ross as the Business Community Representative;
- Mr. Tony Calibrese as the Business Community Representative;
- Mr. Ridge Loux as the Reston Area Representative; and
- Mr. Joe Stowers as the Reston Area Representative.

This motion was seconded by Chairman Moore and carried by unanimous vote.

38. DULLES CORRIDOR TASK FORCE (TAPE 7)

Supervisor Pennino stated that at an upcoming meeting of the Board of Supervisors the issue of the Dulles Corridor Task Force will be discussed.

39. EXPEDITED PUBLIC HEARING FOR FINAL DEVELOPMENT PLAN AMENDMENT FOR BUILDINGS V AND W IN KINGSTOWNE (TAPE 7)

Supervisor Alexander moved that the Board direct staff to schedule an expedited public hearing for the Final Development Plan Amendment for Buildings V and W in Kingstowne. This motion was seconded by Supervisor Hyland.

Supervisor Alexander said that the developer has worked closely with staff in the Office of Comprehensive Planning on this minor amendment. He added that the applicant understands that this neither provides him with a vested right in the plan approval or relieves him from the responsibility of any plan modifications as a result of Board review.

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

40. OUT-OF-TURN PLAN AMENDMENT APPLICATION FOR A 15 ACRE SITE AT THE ENTRANCE TO THE VIRGINIA 95 BUSINESS PARK (TAPE 7)

Supervisor Alexander moved that the Board accept an Out-of-Turn Plan Amendment for a 15 acre site at the entrance to the Virginia 95 Business Park. This motion was seconded by Supervisor Pennino.

Supervisor Alexander explained that this area is currently planned industrial. He added that he and Carl Sell, Lee District Planning Commissioner, thought that the Master Plan designation should be changed to allow retail/wholesale sales at this site. He said that Boston Properties would like to rezone this site, which is at the entrance to their business park, for the highly successful Price Club.

The question was called on the motion which carried by a recorded vote of eight, Supervisor Hanley voting "NAY."

41. SIMULTANEOUS PROCESSING OF SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 83-L-029 AND THE SITE PLAN FOR THE PENN DAW SHOPPING CENTER (TAPE 7)

Supervisor Alexander moved that the Board direct staff to simultaneously process Special Exception Amendment Application SEA 83-L-029 and the Site Plan for the Penn Daw Shopping Center located at Richmond Highway and North Kings Highway. He said that this will allow this very important renovation project to proceed on a more timely basis. This motion was seconded by Supervisor Hyland.

Supervisor Alexander said that the applicant understands that this neither provides him with a vested right in the plan approval or relieves him from the responsibility of any plan modifications as a result of Board review.

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

42. C-1 - BOARD CONSIDERATION TO HOLD PUBLIC HEARINGS  
FOR FALL 1990 REFERENDA QUESTIONS (TAPES 7-9)

(BONDS)

(Rs) Supervisor Alexander called to the Board's attention Consideration Item - C-1 - Board Consideration to Hold Public Hearings for Fall 1990 Referenda Questions.

The Board next considered an Item contained in the Memorandum to the Board dated June 25, 1990 requesting Board consideration of alternatives for holding elections on five separate questions of contracting a debt, borrowing money, and issuing bonds to provide funds for Public Safety and Maintenance Facilities; Storm Drainage Improvements; Human Services; Sidewalks (Trails); and Housing. Public hearings on each separate question are required prior to approval of the authorizing resolutions and to obtain the Circuit Court order for the elections.

Following a presentation by J. Hamilton Lambert, County Executive, Supervisor Alexander moved that the Board schedule the public hearing in July 1990 on the bond issue to include all the various scenarios as outlined in the Memorandum to the Board dated June 25, 1990 with Board decision on August 6, 1990. This motion was seconded by Supervisor Richards.

Following a question and answer session, Supervisor Hanley moved that the motion be amended to include the Orange Line Connector Garage (\$19 million) as an option, and this was accepted.

Following a lengthy discussion, Supervisor Davis moved to amend the motion to add the option (Alternative Five) to include up to \$330 million for transportation purposes as part of the bond issue. This motion was seconded by Supervisor McConnell.

Supervisor Hyland moved to amend the motion to include as Alternative Six the Neighborhood Improvement Program (\$20 million) to the list of items to be advertised. This motion was seconded by Supervisor Davis.

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

The question was called on the amendment to the motion - Alternative Five (Supervisor Davis') which carried by a recorded vote of seven, Supervisor Alexander and Supervisor Hyland voting "NAY."

The question was called on the amendment to the motion - Alternative Six (Supervisor Hyland's) which FAILED by a recorded vote of six, Supervisor Alexander, Supervisor Davis, and Supervisor Hyland voting "AYE."

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

43. DONEGAL OAKS SUBDIVISION (TAPE 9)

Supervisor McConnell stated that at the entrance of the Donegal Oaks Subdivision the County has purchased 21 lots from the Edward Development Company for the realignment of Donegal lane in relation to the Fairfax County Parkway. She said that as a result of the purchase of these lots by the County the Donegal Oaks Board of Directors was informed that the lots would not be utilized and would continue to be subject to the same conditions, covenants, and restrictions as the 46 lots which were developed and sold. She added that the following are the two main concerns of the Homeowner Association in relation to these lots and the County's responsibilities:

- Continued maintenance of the areas surrounding the lots; and
- Payment of the annual Homeowner Association dues approved by the Association.

Supervisor McConnell moved that the Board direct staff to review these issues and inform her staff as to what measures have been taken, if any, to address these concerns. This motion was seconded by Vice-Chairman Pennino and carried by a vote of six, Supervisor Davis, Supervisor Hanley, and Chairman Moore being out of the room.

44. COUNTY'S NEW HEALTH INSURANCE PROGRAM - FAIRCHOICE (TAPE 9)

Supervisor McConnell stated that she has been notified by a constituent who is a retired County employee regarding a problem with the County's new health insurance program, Fairchoice. She said that the program was put together with the intention of combining the best services of an Health Maintenance Organization (HMO), Preferred Provider Organization (PPO), and Indemnity Plan. Accordingly, each time one needed medical care, one could choose which program one wanted to use; HMO, PPO or indemnity plan. She said that in reality this may not be the case. She explained that the constituent had informed her that his wife is in need of frequent care by an Oncologist who is both a PPO and HMO member. The care is given at Alexandria Hospital. The insurance company is saying that as of July 1, 1990 they can no longer use Alexandria Hospital as it is not part of CapitalCare, the HMO used in Fairchoice. She said that the constituent then decided to use the doctor under the PPO and retain Alexandria Hospital. According to the insurance company, they have to



use the doctor as HMO and switch hospitals. Obviously, the couple is upset as they have been receiving their long term care at Alexandria Hospital. She said that they were led to believe Fairchoice would be just that - a choice.

Supervisor McConnell moved that the Board direct staff to:

- Work closely with this constituent to resolve this issue so that his wife can continue her cancer treatment at Alexandria Hospital; and
- Determine if Fairchoice is providing its members with the best attributes of HMO, PPO, and an Indemnity plan.

Following discussion, Supervisor McConnell amended the motion to direct staff to review the issue (instead of resolve).

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

45. CENTREVILLE PRESCHOOL (TAPE 9)

Supervisor McConnell stated that the Centreville Preschool is a small, non-profit cooperative preschool in Centreville. She said that they have been providing service in the area for many years.

Supervisor McConnell said that the property that they have been leasing is being sold and they have to move. She said that they have found a house which will work out well, and they filed an application for a Special Permit. However, due to the length of time it has taken to resolve the issues with the Department of Public Works and the Health Department, there is a fear that they may have trouble obtaining all the necessary approvals for the new site before their existing Special Permit expires.

Supervisor McConnell pointed out that it would be of significant benefit to have an expedited hearing with the Board of Zoning Appeals (BZA), ideally before the August recess. Therefore, Supervisor McConnell moved that the Board request the BZA to consider the hardship circumstances of the Centreville Preschool and grant them an expedited hearing. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Davis, Supervisor Hanley, and Chairman Moore being out of the room.

46. SHARED PARKING STUDY (TAPE 9)

Supervisor McConnell stated that she has been contacted by the Burke Presbyterian Church Preschool regarding the shared parking study which

must be approved by the Board and is required by the Ordinance. She pointed out that churches and non-profit groups are on a shoestring budget. She said that in addition to the study, the Department of Environmental Management (DEM) requires a payment of \$6,000 for reviewing the study. Supervisor McConnell stated that staff has explained that the review time for these simple studies is only a couple of hours and actual payment is only a few hundred dollars. She said that the difference is then refunded to the applicant, but the problem is the initial payment of \$6,000.

Supervisor McConnell moved that the Board direct staff to review this issue to determine whether the "up front" payment could be reduced to more accurately reflect the actual cost. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Hanley and Chairman Moore being out of the room.

47. THE FAIRFAX COUNTY REFUSE COLLECTION PARKOUT PROGRAM (TAPE 9)

Supervisor McConnell stated that she had recently met with constituents who are very concerned about the Board's recent action regarding the future of the Fairfax County Refuse Collection Parkout Program. She said that an alternative has been proposed which would allow the parkouts to remain and work efficiently. She explained that it is proposed that citizens who are interested in using the Refuse Collection Parkout Program pay a nominal fee imposed by the Board along with their personal property tax. She said that after payment a sticker would be included with the personal property tax sticker or attached to it allowing individuals to utilize the Refuse Collection Parkout Program.

Therefore, Supervisor McConnell moved that the Board direct staff to review the proposal in depth to determine its possibilities for future use. This motion was seconded by Supervisor Bulova.

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

(NOTE: Later in the meeting, there was additional discussion and action taken relating to the Fairfax County Refuse Collection Parkout Program. See Clerk's Summary Item CL#49.)

48. AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO BE HELD BEFORE THE BOARD OF SUPERVISORS TO CONSIDER THE VACATION OF PORTIONS OF FOX MEADOW LANE AND DOYLE LANE (TAPE 9)

- (A) Supervisor McConnell stated the Office of Transportation has been processing an application to vacate portions of Fox Meadow Lane and Doyle Lane in conjunction with several rezoning applications that have been granted. She said that the Office of Transportation had planned to request Board action on July 9, 1990 to advertise for a public hearing on August 6, 1990, however, it was discovered that this was only 28 days and did not meet the 30 day advertising requirement.

Therefore, Supervisor McConnell moved that the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on August 6, 1990 to consider the vacation of portions of Fox Meadow Lane and Doyle Lane. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Alexander and Supervisor Davis being out of the room.

49. COMPETITIVENESS OF PRIVATE TRASH HAULERS PROGRAM (TAPE 9)

(NOTE: Earlier in the meeting there was discussion and action taken regarding the Fairfax County Refuse Collection Parkout Program. See Clerk's Summary Item CL#47.)

Supervisor McConnell stated that one of the most frequent complaints is over the real or perceived lack of competitiveness in choosing a private trash collection service. She said that some private haulers have a monopoly and that citizens are unable to obtain a different hauler to serve them. She added that this created a situation where there is no restraint on price increases. Therefore, Supervisor McConnell asked unanimous consent that the Board direct staff to review this issue, and as a part of the discussion of the Refuse Collection Parkout Program at the carryover budget review, to report with the competitiveness of the private trash haulers and the charges. Without objection, it was so ordered.

50. CLEANER INCINERATORS (TAPE 9)

Supervisor McConnell referred to an article contained in the Wall Street Journal regarding cleaner incinerators. She pointed out that some areas in New York have the new "high tech" incinerators that are considered among the cleanest and safest anywhere. She said that this new incinerator poses no health threat. Supervisor McConnell asked unanimous consent that the Board direct staff to contact New York to compare and determine its success rate. Without objection, it was so ordered.

51. CLOSING OF THE INTERSECTION OF BRADDOCK AND UNION MILL ROAD (TAPE 9)

Supervisor McConnell stated that the intersection of Braddock and Union Mill Roads has been closed for the summer to allow for a new intersection to be constructed. She said that this was causing great concern for many of the citizens in the area. She added that the disruption of some of the bus alternatives was one of the biggest issues raised by the citizens. Therefore, Supervisor McConnell asked unanimous consent that the Board direct staff to review as expeditiously as possible the alternatives of getting the citizens out of the neighborhood by means of a temporary bus service. Without objection, it was so ordered.

52. COUNTY CONTRACT GENERAL CONDITIONS DOCUMENT  
(TAPE 9)

Supervisor McConnell stated that she had received a letter from Mr. John Kelso regarding the County Contract General Conditions document. She said that he is representing a group who is requesting a meeting with staff. Therefore, Supervisor McConnell asked unanimous consent that the Board direct staff to meet with this group to discuss this issue. Without objection, it was so ordered.

AR:AR

53. AUTHORIZATION FOR ADVERTISEMENT OF A  
PROFFERED CONDITION AMENDMENT (PCA)  
FOR REZONING APPLICATION RZ 84-D-044.  
MCLEAN PROVINCE (DRANESVILLE DISTRICT)  
(TAPE 10)

Supervisor Richards moved that the Board authorize staff to:

- Advertise on the Board's Own Motion a Proffered Condition Amendment (PCA) Application as expeditiously as possible for Rezoning Application RZ 84-D-044; and
- Draft the PCA so that the maximum height for each section of townhomes within the McLean Province subdivision reflects the actual heights of the townhomes already constructed.

Supervisor Richards noted that the builder of Section Three has agreed to provide additional screening to the satisfaction of the residents of an existing subdivision which abuts McLean Province so that this development is properly screened.

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

54. WIDENING OF DOLLEY MADISON BOULEVARD  
(TAPE 10)

Supervisor Richards called the Board's attention to the fact that the Office of Transportation and the Planning Commission have both recommended that Dolley Madison Boulevard be widened to six lanes from the Dulles Toll Road to the George Washington Parkway under Phase I of the Comprehensive Plan review process. She stated that, in light of the fact that the National Park Service has recently stated that they will not widen George Washington Parkway, it does not make any sense to

approve such a change, from four to six lanes in this section of Route 123, to the Comprehensive Plan. Supervisor Richards noted that the transportation network will not be improved by widening Dolley Madison Boulevard without widening the George Washington Parkway.

Noting that it was her belief that not enough level of detail was provided to justify this part of Route 123 to be widened, Supervisor Richards moved that the Board declare its intent to delete this proposal from the proposed changes to the Comprehensive Plan, the Fairfax Planning Horizons, scheduled for public hearing before the Board on July 9 and 10, 1990. This motion was seconded by Supervisor Alexander.

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

55. ILLEGAL PARKING IN HANDICAPPED SPACES  
(TAPE 10)

Supervisor Richards stated that her office was in receipt of a very informative and thoughtful letter from a constituent regarding illegal parking in handicapped spaces in general, and specifically, in Metro lots. She asked unanimous consent that the Board direct staff to investigate the following ideas to determine if staff proposals would generate enough awareness of this problem to prohibit the routine, but illegal, practice of parking in handicapped spaces out of convenience:

- It is a matter of public record who has been fined for parking in a handicapped space. Could the Board interest local papers in publishing the license numbers of those in violation?;
- Do the auxiliary police have authority to ticket for parking violations? If not, is it possible to give them this authority?;
- Has the Commission for Disabled Persons considered this issue? Are there any ideas which the Commission might propose to increase public awareness?;
- Are there other surrounding jurisdictions, possibly in Maryland, that deputize disabled citizens to ticket those who illegally park in handicapped spaces?; and
- What other means would staff propose to generate public awareness and gain compliance on this issue?

Without objection, it was so ordered.

56. RECYCLING OF LASER PRINTER TONER CARTRIDGES  
(TAPE 10)

Supervisor Richards stated that she had recently become aware that the printer toner cartridges used by the 200,000 laser printers in use in the Greater Washington Area are recyclable or rechargeable. She noted that a Great Falls firm that specializes in recycling the cartridges indicates that the waste generated by not recycling amounts to 166,000 cubic feet in the landfills, plus the same amount from the packaging which contains polystyrene. An additional benefit is a cost savings of 40 percent or more on laser printing and/or personal computer copier printing costs.

Noting that the County Recycling Office is launching some major Countywide programs, Supervisor Richards asked unanimous consent that the Board:

- Direct staff to investigate the feasibility of having each agency set up a program for recycling laser printer toner cartridges; and
- Direct the Office of Public Affairs to consider publicizing the availability of recharging for laser printer toner cartridges and encourage firms and individuals who own laser printers to do so, without the County endorsement of any particular firm.

Without objection, it was so ordered.

57. ARTICLE ON "SELLING OF THE PRESIDENT 1792"  
(TAPE 10)

Supervisor Richards called the Board's attention to an amusing article on George Washington, written by Vic Gold, entitled "The Selling of the President 1792."

58. CARDS DISTRIBUTED BY THE STATE COMMISSION  
FOR THE DISABLED (TAPE 10)

Referring to Supervisor Richards' matter regarding illegal parking in handicapped spaces, Supervisor Hanley noted that the State Commission for the Disabled does have cards available for private citizens to place on the cars of those persons who violate the handicapped parking signs.

59. RECOGNITION OF FAIRFAX HIGH SCHOOL  
A CAPPELLA CHOIR (TAPE 10)

Supervisor Hanley asked unanimous consent that the Board direct staff to schedule for the Board Meeting of July 9, 1990, at 10:00 a.m., a special

recognition and best wishes for the A Cappella Choir of Fairfax High School, prior to its departure to compete in the International Music Festival Competition in Vienna, Austria. Without objection, it was so ordered.

60. FAIRFAX COUNTY PARTICIPATION IN THE RACE RAFT CHALLENGE (TAPE 10)

Supervisor Hanley called the Board's attention to a letter to J. Hamilton Lambert, County Executive, from Mr. C.M. Williams, County Administrator from Stafford County, asking Fairfax County to participate in the Race Raft Challenge. She asked unanimous consent that the Board direct staff to return as expeditiously as possible with its recommendation regarding this Challenge. Without objection, it was so ordered.

61. EXPEDITED PROCESSING FOR SPECIAL EXCEPTION FOR SAINT PHILLIP'S CATHOLIC CHURCH (TAPE 10)

Supervisor Hanley moved that the Board direct staff to expedite the processing of the Saint Phillip's Catholic Church Special Exception Application and Special Permit Amendment Application on Tax Map Number 60-1-((1)), Parcel 3, Permit 13122, for extended care and nursery school in order that all work may be completed prior to opening for classes in the Fall. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being out of the room.

62. MEETING OF THE BUDGET SUBCOMMITTEE ON AUGUST 6, 1990 (TAPE 10)

Supervisor Hanley called the Board's attention to the rescheduled meeting of the Budget Subcommittee for August 6, 1990, and noted that the \$628,890.95 that the County is receiving in Fiscal Year (FY) 1991 from the Virginia Fire Services Board and the Department of Fire Programs will require another budget adjustment.

63. PERMITTED ACCESSORY USE FOR SKATEBOARD RAMPS (TAPE 10)

Supervisor Hanley asked unanimous consent that the Board direct staff to review the permitted accessory uses for skateboard ramps and return to the Board with its recommendation with regard to the requirement for setbacks, noise levels, etcetera. Without objection, it was so ordered.

64. OFFICE PAPER RECYCLING UPDATE (TAPE 10)

Supervisor Hanley stated that the press release on Fairfax County office paper recycling mentions "...for more than 1800 County employees." Noting that the County has almost 9,000 employees, she asked unanimous consent that the Board direct staff to provide an update on the expansion of the office paper recycling program, to include the status of participation by all County employees. Without objection, it was so ordered.

65. FINAL DECISIONS FROM THE 1985-86 ANNUAL PLAN REVIEW (TAPE 10)

Supervisor Hanley called the Board's attention to the final decisions that were deferred from the 1985-86 Annual Plan Review.

Following input from James P. Zook, Director, Office of Comprehensive Planning, Supervisor Hanley asked unanimous consent that the Board direct staff to review these deferred decisions and report with a status report. Without objection, it was ordered.

66. AVAILABILITY OF PLAYING SPACE AND THE ADVISABILITY OF FOUR AND FIVE YEARS OLDS COMPETING IN SPORTS (TAPE 10)

Supervisor Hanley stated that her office was in receipt of a memorandum from the Fairfax County Athletic Council concerning the availability of playing space and the advisability of four and five years olds competing in sports. She asked unanimous consent that the Board direct staff to review this situation and return with a recommended policy for Board adoption in the form of a Consideration Item. Without objection, it was so ordered.

67. DRUG FREE WORKPLACE COMPLIANCE (TAPE 10)

Supervisor Hanley referred to the June 7, 1990 memorandum from Mr. Tom Bolger concerning the final publication on May 25, 1990 of the Drug Free Workplace Regulations and asked unanimous consent that the Board direct staff to report as expeditiously as possible regarding the County's compliance with these regulations. Without objection, it was so ordered.

68. COMMENDATION TO DAVID STONER, ASSISTANT COUNTY ATTORNEY (TAPE 10)

Supervisor Hanley commended Mr. David Stoner, Assistant County Attorney, for his outstanding work and significant victory in the Thompson Access Road Virginia Supreme Court decision.

69. AUTHORIZATION FOR FILING OF A PETITION FOR APPEAL WITH THE VIRGINIA SUPREME COURT IN FAIRFAX COUNTY, VIRGINIA VERSUS CLIFTON B. ROGERS, JR., RECORD NUMBER 0774-89-4 (TAPE 10)

Supervisor Davis moved that the Board of Supervisors authorize the filing of a petition for appeal with the Virginia Supreme Court in Fairfax County, Virginia versus Clifton B. Rogers, Jr., Record Number 0774-89-4, as recommended by the County Attorney in the Legal Package. This motion was seconded by Supervisor Pennino.

Chairman Moore called the Board's attention to Information Item I-5 - Retirement Systems Contribution Rates for Fiscal Year (FY) 1991 and noted the new rates for the employee contributions to the County



Retirement Systems have increased for both Uniformed and Fire personnel, up to 21.35 percent of payroll. She stated that because of the heart-lung bill that was passed and the interpretations of the State Commission, the County has absorbed an increased amount of liability for personnel who are on job-related disability.

Therefore, Chairman Moore stated that this is a very important financial issue to the County of Fairfax.

The question was then called on the motion which carried by a recorded vote of seven, Supervisor Alexander and Supervisor Hyland voting "NAY."

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70. ADMINISTRATIVE ITEMS (TAPE 10)

Supervisor Davis moved approval of the Administrative Items with the exception of Administrative Item - Admin 5. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Hyland called the Board's attention to Administrative Items - Admin 5 and moved:

- That the Board defer action on the request for additional time for Special Exception Application SE 82-V-044 indefinitely; and
- In the event the applicant submits a new Special Exception Application to permit development of the site consistent with the current Special Exception requirements, that this Special Exception Application be scheduled in an expedited manner for public hearing before the Board in September 1990, and that the filing fee be waived.

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

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

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated June 25, 1990 be recommended for acceptance into the State Secondary System.

ADMIN 2 - AUTHORIZATION TO ADVERTISE A PUBLIC  
HEARING ON THE ACQUISITION OF A CERTAIN  
DEDICATION AND EASEMENTS NECESSARY FOR  
THE CONSTRUCTION OF COUNTY ROAD PROJECT -  
ROUTE 1/BUCKMAN ROAD (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on July 23, 1990 at 4:00 p.m. on the proposed acquisition of a certain dedication and easements necessary for the construction of County Road Project 064115 - Route 1/Buckman Road, Lee District.

ADMIN 3 - AUTHORIZATION TO ADVERTISE A PUBLIC  
HEARING ON PROPOSED AMENDMENTS TO THE CODE OF  
THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR  
VEHICLES AND TRAFFIC), ARTICLE 5A (RESIDENTIAL  
PERMIT PARKING DISTRICT - RPPD) (COUNTYWIDE)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on September 17, 1990 at 4:00 p.m. on proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A (Residential Permit Parking District - RPPD) to extend the expiration date of permits and decals from one year to two years.

ADMIN 4 - AUTHORIZATION TO ADVERTISE PUBLIC  
HEARINGS ON PROPOSED AMENDMENTS TO THE  
PUBLIC FACILITIES MANUAL

- (A) Authorized the advertisement of a public hearing to be held before the Planning Commission on September 6, 1990 and before the Board of Supervisors on September 17, 1990 at 3:30 p.m. on proposed amendments to the Public Facilities Manual to address issues concerning sanitary sewers, storm drainage, and related matters.

ADMIN 5 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION  
FOR SPECIAL EXCEPTION APPLICATION SE 82-V-044  
(ROLFE ROBERTSON AND DOUGLAS QUARLES) (MOUNT  
VERNON DISTRICT)

(Earlier in the meeting, Supervisor Hyland moved the following:

- That the Board defer action on the request for additional time for Special Exception Application SE 82-V-044 indefinitely; and
- In the event the applicant submits a new Special Exception Application to permit development of the site consistent with the current Special Exception requirements, that this Special Exception Application be scheduled in an expedited

manner for public hearing before the Board in September 1990, and that the filing fee be waived.

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

ADMIN 6 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE DISPOSITION OF THE ELM STREET PROPERTY/OLD MCLEAN ASSESSMENT OFFICE (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on September 17, 1990 at 4:00 p.m. regarding the disposition of the Elm Street property/Old McLean Assessment Office, Tax Map Number 30-2((10))(4)5B, Dranesville District, and directed staff to notify the adjacent landowners of the public hearing by certified mail.

71. A-1 - FUNDING OF CONTRACT AMENDMENT FOR THE DULLES TRANSPORTATION SYSTEM MANAGEMENT (TSM) IMPLEMENTATION (CENTREVILLE, DRANESVILLE, AND PROVIDENCE DISTRICTS) (TAPE 10)

Supervisor Pennino moved that the Board concur in the recommendation of staff and, in order to pursue Federal funding assistance for the implementation of the Dulles Transportation System Management (TSM) System, authorize the expenditure of up to \$150,000 to fund a contract amendment with KPMG Peat Marwick to provide technical assistance in finalizing the implementation plan and formulating an Urban Mass Transportation Administration (UMTA) Grant Application as outlined in Attachment One of the Memorandum to the Board dated June 25, 1990. This motion was seconded by Supervisor Richards.

Supervisor Pennino amended the motion to include:

- Creation of a County appointed Task Force to meet at least four times with the private sector and the consultant to identify potential facility sites and to explore joint development; and
- Exploration of the possibility of additional park and ride sites.

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

72. A-2 - ADOPTION OF THE RESOLUTION TO REVISE THE URBAN MASS TRANSPORTATION ADMINISTRATION (UMTA) SUBURBAN MOBILITY GRANT APPLICATION FOR COMMUTER PARKING (CENTREVILLE AND SPRINGFIELD DISTRICTS) (TAPE 10)

(R) On motion of Supervisor Pennino, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted a Resolution contained in Attachment One of the Memorandum to the Board dated June 25, 1990 authorizing the revision to the County's Suburban Mobility Grant application for commuter parking for submission to the Urban Mass Transportation Administration (UMTA). This action deletes the Franconia/Springfield Transportation Center from the Board's original Suburban Mobility Grant application.

73. A-3 - PAYMENT TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR REPAIR OF TELEGRAPH ROAD IN THE VICINITY OF THE HILLTOP SAND AND GRAVEL LANDFILL (LEE DISTRICT) (TAPE 10)

Supervisor Alexander moved that the Board concur in the recommendation of staff and take the following actions regarding the repair of Telegraph Road in the vicinity of the Hilltop Sand and Gravel Landfill, Lee District:

- Authorize the Director, Office of Finance, to pay \$58,410.90 to the Virginia Department of Transportation (VDOT) for maintenance requirements to roads in the vicinity of the Hilltop Sand and Gravel Landfill; and
- Direct staff to transfer \$88,971.35 collected through Special Exception Landfill Fees to the Fairfax County Park Authority (FCPA), for use in the development of Lee District Park.

This motion was seconded by Supervisor Hyland.

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

74. A-4 - AUTHORIZATION TO PAY FISCAL YEAR (FY) 1991 FIRST QUARTER TRANSIT OPERATING SUBSIDY TO WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) (COUNTYWIDE) (TAPE 10)

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

staff and adopted a Resolution contained in Attachment Two of the Memorandum to the Board dated June 25, 1990 authorizing payment to the Washington Metropolitan Area Transit Authority (WMATA) of the Fiscal Year (FY) 1991 first quarter transit operating and capital assistance subsidy billing in the amount of \$10,395,654.

75. A-5 - AUTHORIZATION TO MAKE COMMUTER RAIL PAYMENT (ANNANDALE, LEE, MOUNT VERNON AND SPRINGFIELD DISTRICTS) (TAPE 10)

- (R) On motion of Supervisor Bulova, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized payment of \$1,407,640 to the Northern Virginia Transportation Commission (NVTC) as Fairfax County's share of the local match associated with the Virginia Railway Express (VRE) Insurance Reserve. This Insurance Reserve is necessary to pay any claims which may result from the operation of commuter rail service.

76. A-6 - SUPPLEMENTAL APPROPRIATION RESOLUTION AS91006: OFFICE OF TRANSPORTATION RIDESOURCES PROGRAM (ALL DISTRICTS) (TAPE 10)

- (SAR) On motion of Supervisor Hyland, seconded by Supervisor Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution AS91006 in the amount of \$203,390, which includes \$162,712 in State funds and \$40,678 in local funds to continue the Office of Transportation's Marketing and Ridesharing Program for the period of July 1, 1990 through June 30, 1991. This grant award provides for the continuation of two existing grant-funded positions (2.0 SYE), as well as continued funding support for 4/1.45 SYE regular positions: a RIDESOURCES Coordinator position (.75 SYE), a Market Research Specialist (.5 SYE), and for managerial and support staff in the Office of Transportation (.2 SYE).

77. A-7 - SUPPLEMENTAL APPROPRIATION RESOLUTION AS91007: FISCAL YEAR (FY) 1991 GRANT FUNDING FOR A VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) EXPERIMENTAL PROJECT IN THE OFFICE OF TRANSPORTATION (ALL DISTRICTS) (TAPE 10)

- (SAR) On motion of Supervisor Richards, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution AS91007 in the amount of \$71,892, which includes \$68,297 from the Virginia Department of Transportation (VDOT) and \$3,595 in County local cash match to implement an experimental project utilizing the Retroreflective Image Analysis (RIA) System, a state-of-the-art license plate identification system.

78. A-8 - SUPPLEMENTAL APPROPRIATION RESOLUTION  
AS90047 FOR THE RESTON TRANSIT CENTER/TIMED  
TRANSFER DEMONSTRATION PROJECT FOR THE OFFICE  
OF TRANSPORTATION (CENTREVILLE DISTRICT) (TAPE 10)

(SAR) On motion of Supervisor Pennino, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution AS90047 in the amount of \$280,773 for the Reston Transit Center/Timed Transfer Demonstration Project for the period October 1, 1990 through September 30, 1991 which includes the approval of the following related service recommendations:

- Approval of the staff recommendations regarding bus service associated with the Reston Transit Center/Timed Transfer Demonstration Project as outlined in Attachment One of the Memorandum to the Board dated June 25, 1990. The staff recommendations include:
  - \* Reconfiguring and rescheduling of the Reston Internal Bus System (RIBS);
  - \* Initiation of an express shuttle between the West Falls Church Metrorail Station and the Reston Transit Center via the Reston Town Center during midday periods;
- Authorization to the County Executive to enter into an agreement with the Reston Town Center Phase I Associates governing the shared funding of the proposed West Falls Church Metrorail Station to Reston midday express service. The Reston Town Center has indicated a willingness to provide \$50,000 toward the funding of this service; and
- Approval of Supplemental Appropriation Resolution AS90047 totaling \$280,773, comprised of \$50,000 from the Reston Town Center Phase I Associates, \$113,620 from the Virginia Department of Transportation (VDOT), and \$117,153 in local funds, as outlined in Attachment Two.

79. A-9 - SUPPLEMENTAL APPROPRIATION RESOLUTION  
AS91003 FOR THE DEPARTMENT OF HUMAN  
DEVELOPMENT PROGRAM YEAR (PY) 1990  
JOB TRAINING PARTNERSHIP ACT (JTPA).  
TITLE II-A. YEAR ROUND PROGRAM (TAPE 10)

(SAR) On motion of Supervisor Pennino, seconded by Supervisor Hanley, and carried by a vote of eight, Supervisor Davis being out of the room, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution AS91003 in the amount of \$497,568 to appropriate Title II-A Job Training Partnership Act (JTPA) funds for the Department of Human Development to continue employment and training services for the economically disadvantaged for the period July 1, 1990 to June 30, 1990. This grant award continues funding support for 25 existing grant funded positions (24.5 SYE). There is no local cash match requirement for this award.

80. A-10 - SUPPLEMENTAL APPROPRIATION RESOLUTION  
AS91004 FOR THE DEPARTMENT OF HUMAN  
DEVELOPMENT PROGRAM YEAR (PY) 1990  
JOB TRAINING PARTNERSHIP ACT (JTPA).  
TITLE II-B. SUMMER YOUTH EMPLOYMENT  
PROGRAM (TAPE 10)

(SAR) On motion of Supervisor Hanley, seconded by Supervisor Pennino, and carried by a vote of eight, Supervisor Davis being out of the room, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution AS91004 in the amount of \$572,251 to appropriate Title II-B Summer Youth Employment Program funds for the Department of Human Development for the period October 1, 1989 to September 30, 1990. This grant award continues funding support for 18 existing grant funded positions (7.6 SYE). There is no local cash match requirement for this award.

81. A-11 - SUPPLEMENTAL APPROPRIATION RESOLUTION  
AS91005 FOR THE DEPARTMENT OF HUMAN DEVELOPMENT  
VIRGINIA SHELTER SUPPORT GRANT PROGRAM (TAPE 10)

(SAR) On motion of Supervisor Richards, seconded by Supervisor Pennino, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution AS91005 in the amount of \$70,290 as provided under the Fiscal Year 1991 Virginia SHARE Shelter Support Grant (SSG) Program. This funding will continue to support an existing full-time grant exempt Nurse Practitioner position (1/1.0 SYE) and a half-time grant exempt Nurse Practitioner position (1/0.5 SYE) in Fiscal Year (FY) 1991. The grant will support the continued provision of health care services to shelter residents through a program administered jointly by the Health Department and the Department of Human Development.

82. A-12 - APPROVAL OF A HUMAN SERVICE PROGRAM FOR  
STONEGATE VILLAGE APARTMENTS, AND ASSOCIATED  
POSITIONS, RENOVATIONS AND SITE IMPROVEMENTS  
(CENTREVILLE DISTRICT) (TAPE 10)

Supervisor Pennino moved that the Board concur in the recommendation of staff and take the following actions to establish a human service program for the Stonegate Village Apartments, associated positions, renovations, and site improvements, Centreville District:

- Approve the initiation of a drug intervention program at the Stonegate Village Apartments at an initial cost (first year start-up) of \$228,760 to be supported by a Third Quarter reallocation of Community Development Block Grant (CDBG) Funds;
- Approve the establishment of 8/7.5 SYE grant positions under the Community Services Board (CSB) to support a drug intervention program. Annual position costs are estimated at \$299,509. Due to the phase in of positions through Fiscal Year (FY) 1991, position costs would be fully supported by the CDBG reallocation; and
- Approve the renovations to certain positions of Buildings Five and Six to house the CSB and other human service agencies, and related site and security improvements at an estimated cost of \$270,500.

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

Following discussion, with input from Verdiana L. Haywood, Deputy County Executive for Human Services, and Dr. Joan N. Volpe, Director, Alcohol and Drug Programs, Fairfax-Falls Church Community Services Board, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to provide an updated status report on this project every six months. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.



83. A-13 - REALLOCATION OF COMMUNITY DEVELOPMENT  
BLOCK GRANT (CDBG) PROGRAM YEAR 15 (FY 1990)  
FUNDS AND AUTHORIZATION TO PROCEED WITH THE  
REDESIGN AND CONSTRUCTION OF THE BRADDOCK  
COMMUNITY CENTER (TAPE 10)

On motion of Supervisor McConnell, jointly seconded by Supervisor Hyland and Supervisor Pennino, and carried by unanimous vote, the Board concurred in the recommendation of staff and took the following actions regarding the redesign and construction of the Braddock Community Center:

- Reallocated \$200,000 in Program Year 15 (FY1990) Community Development Block Grant (CDBG) funds from the Housing Acquisition 108 Loan Program as follows:

<u>Project Name</u>	<u>CDBG Funds</u>
South County Housing Coalition Purchase and Rental Program	\$50,000
Catholics for Housing Single Parent Program	15,000
Accessory Dwelling Units (ADU) Loan Program	50,000
Robert Pierre Johnson (RPJ) Housing Project	<u>85,000</u>
	\$200,000

- Considered authorizing the redesign and construction of the Braddock Community Center in the Lincoln-Lewis-Vannoy Conservation Area and the County's purchase of a short-term (one-year) note of the Fairfax County Redevelopment and Housing Authority (FCRHA) in the amount of \$1,039,500 for the construction financing. Interest would be set at a rate comparable to United States Treasury notes of the same maturity, and would be repaid by the FCRHA. Permanent financing for the center would be through an estimated \$1,200,000 bond issue either as a public-purpose tax-exempt bond issued by the FCRHA upon approval of the FCRHA or made part of a County general obligation bonds issue for Human Services facilities. The bonds would cover construction period interest and financing

costs as well as repayment of the County loan. The bonds would be repaid through a service contract/lease between the County and FCRHA; and

- Reallocated \$159,132 in funds from the CDBG Contingency project as follows:

Braddock Community Center Redesign	\$ 25,094
Homestretch Project	67,000
Mankind Low Cost Housing Project	50,000
United Community Ministries Drop-In Counseling Program	<u>17,038</u>
	\$159,132

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84. A-14 - APPROVAL TO ACCEPT FEDERAL ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH BLOCK GRANTS (ADMS) FUNDING FOR ALCOHOL AND DRUG SERVICES OF THE COMMUNITY SERVICES BOARD (CSB) (TAPE 11)

On motion of Supervisor Pennino, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and accepted the Alcohol, Drug Abuse, and Mental Health Block Grant (ADMS) funding in the amount of \$8,125 for Fiscal Year (FY) 1990 for alcohol and drug services of the Community Services Board (CSB).

85. A-15 - AUTHORIZATION FOR THE COMMUNITY SERVICES BOARD (CSB) TO ACCEPT STATE FUNDING FOR A NEW POSITION TO COORDINATE THE COMMUNITY MEDICAID INITIATIVE (TAPE 11)

Supervisor Pennino moved that the Board concur in the recommendation of staff and authorize the Community Services Board (CSB) to accept State funding in the amount of \$23,283 to primarily cover the cost of an additional Accountant I position (1.0 SYE). The position will be utilized to implement and coordinate the community Medicaid Initiative. This motion was seconded by Supervisor Hanley, and carried by unanimous vote.

Supervisor Hanley called the Board's attention to the following comments contained in the Memorandum to the Board dated June 25, 1990: "It should be noted that the Community Services Board (CSB) will not realize any

increase in funding as a result of this initiative. It is not known at this time how much of an increase in funding will be realized in FY 1992."

86. A-16 - AUTHORIZATION FOR THE COMMUNITY SERVICES BOARD TO ACCEPT A GRANT FROM THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE (TAPE 11)

Supervisor McConnell moved that the Board concur in the recommendation of staff and authorize the Alcohol and Drug Services of the Community Services Board (CSB) to accept a grant from the Virginia Department of Criminal Justice Services in the amount of \$51,055 to expand drug treatment services to offenders in the Pre-Release Center. This motion was jointly seconded by Supervisor Pennino and Supervisor Davis.

Chairman Moore relinquished the Chair to Vice Chairman Pennino and asked unanimous consent that the Board direct staff to report with the amount that would normally be accrued in interest from the monies described as "potential additional Non-County Revenues." Without objection it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

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

87. A-17 - OFFICE FOR CHILDREN APPLICATION FOR THE FEDERAL HEAD START MULTICULTURAL INFUSION DEMONSTRATION NETWORK PROJECT GRANT (TAPE 11)

On motion of Supervisor Pennino, seconded by Supervisor Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Office for Children to submit an application for the federal Head Start demonstration project award in the amount of \$30,000 in Fiscal Year (FY) 1991 to demonstrate how services to multicultural populations in Head Start can be delivered with parity to all groups served.

ADDITIONAL BOARD MATTER

88. HOUSE OF REPRESENTATIVES APPROVAL OF AMTRAK BILL (TAPE 11)

Chairman Moore stated that she had just received word that the House of Representatives approved the Amtrak Bill with Commuter Rail provisions minus the ICC Provision. She further stated that this Bill could be considered in the Senate this evening.

89. A-18 - AUTHORIZATION OF GRANT APPLICATION  
SUBMISSION BY THE DEPARTMENT OF HUMAN  
DEVELOPMENT TO HOUSING AND URBAN  
DEVELOPMENT (HUD) TO EXPAND THE  
TRANSITIONAL HOUSING PROGRAM  
(TAPE 11)

Following discussion with input from Verdina Haywood, Deputy County Executive, Human Services, Supervisor Davis moved that the Board concur in the recommendation of staff and authorize the Department of Human Development to submit an application to the United States (U.S.) Department of Housing and Urban Development (HUD) for funding of transitional housing and intensive services to homeless families, with an emphasis on female-headed households in which substance abuse is an issue. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being out of the room.

90. A-19 - AUTHORIZATION TO MAKE A SUPPLEMENTAL  
APPROPRIATION AND AWARD THE ENGINEERING DESIGN  
CONTRACT FOR BAILEY'S PHASE D (MASON DISTRICT)  
(TAPE 11)

(SAR) On motion of Supervisor Davis, seconded by Supervisor Pennino, and carried by a vote of seven, Supervisor McConnell and Supervisor Richards being out of the room, the Board concurred in the recommendation of staff and:

- Authorized staff to award an engineering design contract for Bailey's Road Improvements, Phase D, to Donohue and Associates, Incorporated in the amount of \$83,757; and
- Approved Supplemental Appropriation Resolution AS91008 in the amount of \$425,000 in Subfund 479, Housing G.O. Bond Construction to provide bond-supported appropriation authority for the design and land acquisition requirements for on-going road improvements in three Conservation Areas, including Bailey's, Gum Springs and James Lee.

91. A-20 - AUTHORIZATION FOR CONDEMNATION OF CERTAIN  
LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF A  
TRAIL IN DRANESVILLE ESTATES SUBDIVISION  
(DRANESVILLE DISTRICT) (TAPE 11)

(R) On motion of Supervisor Hanley, seconded by Supervisor Pennino, and carried by a vote of seven, Supervisor McConnell and Supervisor Richards being out of the room, the Board concurred in the recommendation of

staff and authorized staff to institute the necessary legal proceedings to acquire land rights on the Dranesville Estates Homeowners Association property, Dranesville District.

92. A-21 - APPROVAL OF CERTIFICATION OF COUNTY  
ORDINANCE COMPLIANCE FOR METROPOLITAN  
FUNERAL SERVICE, INCORPORATED (LEE  
DISTRICT) (TAPE 11)

On motion of Supervisor Alexander, seconded by Supervisor Davis, and carried by a vote of seven, Supervisor McConnell and Supervisor Richards being out of the room, the Board concurred in the recommendation of staff and, authorized the County Executive to sign the certificate indicating that the location and operation of the Metropolitan Funeral Service, Incorporated are consistent with all applicable ordinances for a solid waste management facility plant (expansion of existing crematory facility), Lee District.

93. A-22 - SUPPLEMENTAL APPROPRIATION RESOLUTION  
AS91001 FOR THE OFFICE OF HUMAN SERVICES  
FISCAL YEAR (FY) 1991 COMMUNITY DIVERSION  
PROGRAM AND THE COMMUNITY DIVERSION CENTER  
(TAPE 11)

(SAR) On motion of Supervisor Davis, jointly seconded by Supervisor Hyland and Supervisor Pennino, and carried by a vote of seven, Supervisor McConnell and Supervisor Richards being out of the room, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution AS91001 totaling \$741,683 which includes:

- \$361,232 for the Community Diversion Program. Of this total, \$279,800 is in state funds and \$81,432 is in local funds. This provides for the operation of the Community Diversion Incentive Program including the 7/7.0 SYE existing grant positions, and funds towards continuation of the purchase of 10 beds at the Community Diversion Center in the amount of \$60,000; and
- \$380,451 for the operation of the Community Diversion Center including continuation of 11/9.75 SYE existing grant positions. Of this total \$51,100 is funded by contracts with other jurisdictions, \$19,720 in client fees, \$14,600 in Federal funds, \$141,760 in State funds and \$153,271 in local County funds. The County will dictate the use of 15 of the 26 beds in Fiscal Year (FY) 1991 as compared with 10 of the 26 beds in FY 1990.

94. A-23 - AUTHORIZATION TO ACCEPT MCKINNEY  
HOMELESS ASSISTANCE PROGRAM GRANT FUNDS  
(TAPE 11)

On motion of Supervisor Pennino, seconded by Supervisor Davis, and carried by a vote of seven, Supervisor McConnell and Supervisor Richards being out of the room, the Board concurred in the recommendation of staff and, approved the acceptance by the Community Services Board (CSB) of the McKinney Homeless Assistance Program grant funds in the amount of \$116,332 to partially fund five mental health staff for the outreach effort. This funding will only cover the cost of the five positions until February 1, 1991. The CSB will fund these positions for the remainder of Fiscal Year (FY) 1991 through projected savings from salary vacancy and a reduction in extra pay.

95. A-24 - SUPPLEMENTAL APPROPRIATION RESOLUTION  
AS90045 - DIVISION OF COMMUNICATIONS,  
VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE  
COMMUNICATIONS GRANT AWARD (TAPE 11)

(SAR) On motion of Supervisor Alexander, seconded by Supervisor Hyland, and carried by a vote of eight, Supervisor Richards being out of the room, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution AS90045 in the amount of \$113,028. This grant from the Commonwealth of Virginia will fund the purchase of public safety radio communications equipment. The local cash match of \$15,413 (12 percent) is currently reserved within the Division of Communications' General Fund budget.

96. C-1 - BOARD CONSIDERATION TO HOLD PUBLIC HEARINGS  
FOR FALL 1990 REFERENDA QUESTIONS (TAPE 11)

[NOTE: Earlier in the meeting, the Board considered the Bond questions for Public Safety and Maintenance Facilities; Storm Drainage Improvements; Human Services; Sidewalks (Trails); and Housing which were prepared as a separate item. See Clerk's Summary Item CL#42.]

97. C-2 - BOARD CONSIDERATION TO HOLD A PUBLIC  
HEARING ON THE SCHOOL BOARD'S REQUEST FOR  
A FALL 1990 REFERENDUM QUESTION ON \$169.260  
MILLION OF SCHOOL IMPROVEMENT BONDS (TAPE 11)

(BONDS)

(Rs) The Board next considered an Item contained in the Memorandum to the Board dated June 25, 1990 requesting Board consideration of the School Board's request to petition the Circuit Court to order an election on the question of contracting a debt, borrowing money, and issuing bonds to provide funds in the aggregate principal amount of \$169,260,000 to provide funds for school improvements. A public hearing by the County is required prior to the approval of the request.

[NOTE: Earlier in the meeting, the Board considered the Bond questions for Public Safety and Maintenance Facilities; Storm Drainage

Improvements; Human Services; Sidewalks (Trails); and Housing which were prepared as a separate item. See Clerk's Summary Item CL#42.]

Following discussion, Supervisor Davis moved approval of Consideration Item C-2 - Board Consideration to hold a Public Hearing on the School Board's request for a Fall 1990 Referendum Question on \$169.260 million of School Improvement Bonds. This motion was seconded by Supervisor Alexander and carried by a recorded vote of eight, Supervisor Richards being out of the room.

98. C-3 - SOUTH AFRICA DIVESTMENT (TAPE 11)

- (P) The Board next considered an Item contained in the Memorandum to the Board dated June 25, 1990 regarding the divestment of securities of companies which invest in South Africa by the general County and the retirement boards.

Supervisor Hanley restated the motion made on May 21, 1990, which is as follows:

- Fairfax County adopt an investment policy consistent with the Governor's Executive Order of May 15, 1990 and institute a policy of no new investments and securities of companies which invest in South Africa and that existing holdings of such securities be phased out in a fiscally prudent and responsible manner; and
- The Board of Supervisors communicate to the respective Retirement Boards in Fairfax County a request asking them to institute an investment policy consistent with the policy adopted by the Board.

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

Supervisor McConnell moved a substitute motion that the Board oppose apartheid. The motion was seconded by Supervisor Davis.

Supervisor Pennino stated that it was her opinion that the entire Board was opposed to apartheid. She said that the Board was trying to send a message to South Africa indicating that the Board believes this is a method of bringing about a peaceful move toward ending apartheid.

Supervisor Davis stated that he would support the substitute motion because he was uncomfortable with the main motion. He explained that the Board's instructions to the different pension plans should be the "Prudent Man Rule" to raise the most it can with prudent investments.

Supervisor Davis further stated that the State law insulates the Pension Board from political pressures. He stated that the main motion also leaves out doing business with companies that measure up to the highest ratings of the "Sullivan Principles."

Following discussion with input from J. Hamilton Lambert, County Executive, James P. McDonald, Deputy County Executive for Management and Budget, Supervisor Bulova stated that she would be more comfortable voting on this item once the State policy is finalized.

Supervisor Bulova stated that she had requested information about a document called the "Statement of Principles," formerly called the "Sullivan Principles." She further stated that some of the companies that the retirement fund is invested in include companies that are in Category One of the "Statement of Principles," she stated that there are four companies that are not included in that category.

Supervisor Bulova stated that she did not want to support a policy that could actually hurt some of the companies that are investing in South Africa, that are providing jobs and opportunities that the people of South Africa would not otherwise have. She stated that because the Board did not know what the State's complete policy is, she would prefer if the Board withheld the vote on this item until that time. She further stated that she would support the substitute motion.

The question was called on the substitute motion, (Supervisor McConnell's) which FAILED by a recorded vote of three, Supervisor Bulova, Supervisor Davis, and Supervisor McConnell voting "AYE," Supervisor Alexander, Supervisor Pennino, and Supervisor Richards abstaining.

Supervisor Hyland moved to amend the main motion to indicate that the Board of Supervisors opposes apartheid and this was accepted.

Supervisor Bulova moved to further amend the motion to address the issue that concerns the companies that have signed the "Statement of Principles" as follows:

- That the companies that the County or the retirement fund has invested in which are included in Category One of the "Statement of Principles" be excluded from divestures; and
- That if humanitarian products are being manufactured, that the Board ensure that those companies are also excluded.

The amendment to the motion was seconded by Supervisor Davis and carried by a recorded vote of seven, Supervisor Hyland and Supervisor Pennino voting "NAY."



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

99. C-4 - PROPOSED AMENDMENTS TO THE BYLAWS OF  
THE HUMAN SERVICES COUNCIL (TAPE 11)

(BACs)

The Board next considered an Item contained in the Memorandum to the Board dated June 25, 1990 requesting Board consideration of the two proposed amendments to the bylaws of the Human Services Council which are:

- To suspend for a period of one year the existing provision that "officers may serve no more than two consecutive (one-year) terms in the same office"; and
- To add a provision on attendance as Article IV, Section 9. This provision would be as follows:
  - \* "Any Council member who misses 25 percent of the regularly scheduled meetings on an unexcused basis in any given six month period shall be recommended to the appointing Supervisor for removal from the Council."

Following discussion, Supervisor Hanley moved approval of the proposed amendments, this motion was seconded by Supervisor Hyland.

Following further discussion, Chairman Moore relinquished the gavel to Vice Chairman Pennino, and asked unanimous consent that the Board direct staff to schedule at the next "appointments date" the issue of the terms of office for the Human Services Council, without objection this was so ordered.

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

100. C-5 - APPLICATION OF AMERICAN NATIONAL RED  
CROSS FOR ISSUANCE OF INDUSTRIAL DEVELOPMENT  
BONDS (PROVIDENCE DISTRICT) (TAPE 11)

(IDBs)

(R) The Board next considered an Item contained in the Memorandum to the Board dated June 25, 1990 requesting Board consideration of the issuance of Industrial Development Bonds (the "Bonds") for the benefit of American National Red Cross as provided for in the "Uniform Policy for

Issuance of Economic Development Authority and Redevelopment and Housing Authority Industrial Development Bonds" adopted on March 7, 1983 by the Board of Supervisors.

Supervisor Hanley moved adoption of the Resolution approving the issuance of the Bonds in the maximum amount of \$25,000 for the benefit of American National Red Cross for the purpose of complying with Section 147(f) of the Internal Revenue Code of 1986, as amended, and only for that purpose. This motion was seconded by Supervisor Pennino.

Chairman Moore asked if there were any disclosures by Board Members and hearing none called the question on the motion, which carried by unanimous vote.

101. C-6 - NATIONAL ASSOCIATION OF COUNTIES'  
ANNUAL CONFERENCE (TAPE 11)

The Board next considered an Item contained in the Memorandum to the Board dated June 25, 1990 requesting Board consideration of a voting and alternate delegate to represent Fairfax County at the 55th Annual National Association of Counties' (NACo) Conference to be held in Dade County (Miami), Florida on July 14-17, 1990.

Supervisor Pennino moved that the Board designate Chairman Moore as the voting delegate. This motion was seconded by Supervisor Davis.

Following Board discussion, it was announced that the following Board Members would also be attending the conference: Supervisor Davis, Supervisor Hanley, and Supervisor Hyland.

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

Supervisor Hanley moved approval of Consideration Item C-6. This motion was seconded by Supervisor Davis and carried by unanimous vote.

102. I-1 - REVIEW OF DEVELOPMENT REGULATIONS  
(TAPES 11-12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 requesting authorization for staff to circulate to the business community for its comments the results of the staff review of the rezoning cases filed since September of 1988 to determine whether the amendments to the County's development regulations could reduce the County's reliance on the proffer system. Staff will subsequently forward to the Board of Supervisors those responses received from the business community.

Supervisor Pennino commended staff for their outstanding work on this issue and she asked unanimous consent that the Board refer the recommendations for amendments to the legislation to the Legislative Subcommittee. Without objection, it was so ordered.

Due to the implementation of such items as the Chesapeake Bay Preservation Act through the Engineering Standards Review Committee (ESRC), Supervisor Richards asked unanimous consent that the Board direct staff to schedule on the next "appointments date" to the ESRC, an item to consider additional representation from citizen environmental groups. Without objection, it was so ordered.

Supervisor Pennino asked that the request be amended to include the Environmental Quality Advisory Committee (EQAC) in this process and this was accepted.

Following discussion with input from J. Hamilton Lambert, County Executive, and James P. Zook, Director, Office of Comprehensive Planning, Supervisor Bulova called the Board's attention to the caveat presently used by the Board to determine whether or not the property in question is substantially proffered, and moved that the Board direct staff to discontinue the use of this caveat when considering rezoning applications. This motion was seconded by Chairman Moore for the purpose of discussion.

(NOTE: This item was continued later in the meeting following a brief recess by the Board. See Clerk's Summary Item CL#104.)

103. BOARD RECESS (TAPE 12)

At 4:20 p.m. the Board recessed briefly and at 5:15 p.m. reconvened in the Board room with all Members present and with Chairman Moore presiding.

104. CONTINUATION OF I-1 - REVIEW OF DEVELOPMENT REGULATIONS (TAPE 12)

(NOTE: Earlier in the meeting, there was additional discussion regarding this item. See Clerk's Summary Item CL#102.)

Following discussion, Supervisor Bulova reread her motion as follows:

- Move that the Board direct staff to cease using the caveat that has been used in the rezonings scheduled before the Board today to determine "substantial" proffers.

This motion was seconded by Supervisor Pennino.

Following additional input from the County Executive, Supervisor Bulova amended her motion as follows:

- Direct staff to proceed with the public hearings on rezonings as scheduled on today's agenda; and

- Direct staff to brief the Planning Commission and return to the Board with staff recommendation regarding the continued use of this caveat.

This amendment was agreeable to the seconder of the motion. The question was then called on the motion, as amended, which carried by a recorded vote of seven, Supervisor Hyland and Supervisor Richards voting "NAY."

105. I-2 - STAFF SUMMARIES OF MAY 1990 TRANSPORTATION ADVISORY COMMISSION (TAC) MEETINGS (COUNTYWIDE)  
(TAPE 12)

(BACs)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 presenting the Transportation Advisory Commission's (TAC) staff summaries from its' meetings held during May 1990.

106. I-3 - METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (MWCOC) UPDATE ANALYSIS OF THE TRANSIT FINANCIAL CAPACITY OF THE WASHINGTON METROPOLITAN AREA (COUNTYWIDE)  
(TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 presenting the Metropolitan Washington Council of Governments (MWCOC) update analysis of the transit financial capacity of the Washington Metropolitan Area (Countywide).

107. I-4 - ESTABLISHMENT OF AFFORDABLE DWELLING UNIT SALES PRICES AND RENTS (TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 presenting the proposed sales prices and rents for Fairfax County Affordable Dwelling Units (ADUs) for Board comment. The final prices and rents will be presented to the Board for consideration at its meeting scheduled for August 6, 1990.

108. I-5 - RETIREMENT SYSTEMS CONTRIBUTION RATES FOR FISCAL YEAR (FY 1991) (TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 requesting authorization for staff to implement the retirement contribution rates for Fiscal Year (FY) 1991 for the County Supplemental, Police and Uniformed Retirement Systems, based upon the results of an actuarial study performed by the consulting firm of Milliman and Robertson, Incorporated, in July of 1989.

The staff was directed administratively to proceed as proposed.

109. I-6 - BOILER/PRESSURE VESSEL OPERATOR  
CERTIFICATION (TAPE 12)

On February 2, 1989, the Virginia General Assembly passed enabling legislation to allow local jurisdictions to certify boiler and pressure vessel operators in the same way in which persons performing plumbing, electrical or mechanical installations are certified. This legislation was initiated by the International Union of Operating Engineers.

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990:

- Presenting the Department of Environmental Management's (DEM) evaluation of the new provisions and recommendation against adopting the certification programs in Fairfax County; and
- Requesting authorization for DEM to NOT pursue implementation of the certifications at this time.

The staff was directed administratively to proceed as proposed.

110. I-7 - FAIRFAX COUNTY CHANNEL 16 WINS AWARDS  
(TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 announcing that, for the second consecutive year, Fairfax County Government Channel 16 has been honored with a first place award in the Annual System Awards for Cable Excellence (ACE) by the National Academy of Cable Programming.

111. I-8 - FAIRFAX COUNTY RECEIVES TEN NATIONAL  
AWARDS (TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 announcing the 1990 National Achievement Awards for innovative programs which will be presented to Fairfax County at the 55th Annual National Association of Counties (NACo) July 14-17, 1990. The ten awards, which will be formally recognized at Board of Supervisors' meeting scheduled for July 23, 1990, are:

- Department of Animal Control - Humane Education Program;
- Office of Children and Fairfax-Falls Church Community Services Board - Respite Care for Families with Special Needs;

- Fairfax-Falls Church Community Services Board - Crossroads Therapeutic Community Drug Treatment Program;
- Office of Personnel and Department of Public Works - Enclave Program to Hire the Severely Disabled;
- Office of Personnel - Negotiation Skills Training for Front-Line Staff;
- Department of Consumer Affairs - Homeowner Association Workshops;
- Juvenile and Domestic Relations District Court - Support Services for Parents of Juvenile Offenders;
- Department of Environmental Management - Critical Structures Program;
- Department of Environmental Management - Video Training Films for Site Construction Code Enforcement; and
- Department of Public Works - Public Works Sewer Tracking System.

112. I-9 - VACANCIES IN THE ZONING ENFORCEMENT  
BRANCH, OFFICE OF COMPREHENSIVE PLANNING  
(TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 responding to the Board of Supervisors' request for a status report on the filling of the vacancies in the Zoning Enforcement Branch, Office of Comprehensive Planning.

113. I-10 - ABOLISHMENT OF OBSOLETE CLASSES  
(TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 requesting authorization for staff to abolish the following exempt classes of personnel which have been found to be obsolete:

<u>Class Code</u>	<u>Class Title</u>
7462	Apartment Residential Counselor
7564	Naturalist Intern
7565	Park Intern
7581G	Conservationist II
7582G	Conservationist I

The staff was directed administratively to proceed as proposed.

114. I-11 - COOPERATION AGREEMENT BETWEEN THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) AND THE TOWN OF HERNDON (TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 requesting authorization for the Fairfax County Redevelopment and Housing Authority (FCRHA) to enter into a Cooperation Agreement with the Town of Herndon, Virginia for the FCRHA to administer housing programs in the Town.

Supervisor Richards expressed her appreciation to the County Executive for his outstanding efforts with regard to this item.

The staff was directed administratively to proceed as proposed.

115. I-12 - ARCHITECTURAL CONTRACT AWARD TO HUGHES GROUP ARCHITECTS FOR THE DESIGN OF THE HERNDON COMMUNITY LIBRARY AND THE ASSOCIATED PARKING DECK/PLAZA FOR THE TOWN OF HERNDON (DRANESVILLE DISTRICT) (TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 requesting authorization for staff to:

- Award an architectural contract to Hughes Group Architects, Sterling, Virginia, in the amount of \$131,381 for the design of the Herndon Community Library and the associated deck/plaza for the Town of Herndon; and
- Execute the agreement with the Town of Herndon, contingent upon approval by the County Attorney. Funds are currently available in Project 004834, Herndon Community Library, to award this contract.

Supervisor Richards commended the County Executive on his efforts associated with this item.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTER

116. REVIEW OF REZONING APPLICATION RZ 90-P-040 AND SPECIAL EXCEPTION APPLICATION SE 90-P-020 (TAPE 12)

Supervisor Hanley moved that the Board direct staff to review the waiver of filing fees for Rezoning Application RZ 90-P-040 and Special

Exception Application SE 90-P-020 for appropriate adjustments. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

117. I-13 - AWARD OF CONTRACT FOR ADVERTISING SERVICES FOR THE ECONOMIC DEVELOPMENT AUTHORITY (TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 requesting authorization for staff to complete negotiations and proceed to award a contract to Siddall, Matus and Coughter, Incorporated, for advertising services for the Economic Development Authority. Funding in the amount of \$977,324.00 is available for this contract in Fiscal Year 1991.

The staff was directed administratively to proceed as proposed.

118. I-14 - APPROVAL OF ARCHITECTURAL AND ENGINEERING SERVICES CONTRACT FOR RENOVATION AND SITE IMPROVEMENT AT STONEGATE VILLAGE APARTMENTS (CENTREVILLE DISTRICT) (TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 requesting authorization for staff to award a contract to Davis and Carter in the amount of \$78,690 for the renovation and site improvements for the proposed Human Services Program at Stonegate Village Apartments. Funds are currently available in Subfund 478, Housing Assistance Program Fund, Project 013880, Stonegate (Stonegate Village Apartments), to award this contract.

The staff was directed administratively to proceed as proposed.

119. I-15 - CONTRACT AWARD - AWARD OF CONTRACTS FOR SPECIFIC HUMAN SERVICES FOR THE DEPARTMENT OF COMMUNITY ACTION - RFP00040010 (TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 requesting authorization for staff to award contracts to the following selected vendors, in the total amount of \$1,413,044, for specific human services for the Department of Community Action, RFP00040010:

<u>VENDOR</u>	<u>TOTAL AMOUNT</u>
Catholic Charities	\$ 88,118
Good Shepherd Housing	\$ 20,000
Gum Springs Community Dev. Corporation	\$ 266,430
Hispanos Unidos de Virginia	\$ 69,574
Lincoln, Lewis & Vannoy	\$ 20,296
Northern Virginia Family Services	\$ 562,224
Reston Interfaith	\$ 138,097
South County Housing, Incorporated	\$ 83,579
United Community Ministries	\$ 164,726
TOTAL	\$1,413,044

The staff was directed administratively to proceed as proposed.



120. I-16 - AWARD OF CONTRACTS - PROFESSIONAL PSYCHIATRIC SERVICES IN SUPPORT OF THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 requesting authorization for staff to award contracts for professional psychiatric services in support of the Fairfax-Falls Church Community Services Board as identified in the aforementioned Memorandum.

The staff was directed administratively to proceed as proposed.

121. I-17 - CONTRACT AWARD - ODOR CONTROL FACILITIES FOR ACCOTINK, DOGUE CREEK AND LITTLE HUNTING CREEK PUMPING STATIONS (MOUNT VERNON DISTRICT) (TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 requesting authorization for staff to:

- Award a contract to F and D McCreery, Incorporated in the amount of \$424,250 for construction of Odor Control Facilities for the Accotink, Dogue Creek, and Little Hunting Creek Pumping Stations in Project I00351, Pump Station Renovations, funded in Subfund 524, Sewer Bond Extension and Improvements; and
- Reallocate funds in the amount of \$40,965 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.

122. I-18 - CONTRACT AWARD - ARCHITECTURAL AND CONSULTANT SERVICES FOR A HORTICULTURE CENTER ADDITION AT GREEN SPRING FARM PARK (MASON DISTRICT) (TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 requesting authorization for staff to award a contract to Environmental Design Group Architects in the amount of \$70,574 for architectural and consultant services for a Horticulture Center Addition at Green Spring Farm Park, Mason District, in Project 004690, Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

123. I-19 - APPROVAL OF CONTRACT AWARD TO VIRGINIA  
POLYTECHNIC INSTITUTE AND STATE UNIVERSITY  
(VPI&SU), OCCOQUAN MONITORING LABORATORY  
(PROVIDENCE AND MASON DISTRICTS) (TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 requesting authorization for staff to:

- Award a contract to Virginia Polytechnic Institute and State University (VPI&SU), Occoquan Monitoring Laboratory, in the amount of \$77,146, Project 100160, Subfund 468, Public Works Construction; and
- Reallocate funds in the amount of \$30,646 from Project Z00007, Subfund 468 Contingency TO Project 100160, Subfund 468, Public Works Construction.

The staff was directed administratively to proceed as proposed.

124. I-20 - CONTRACT AWARD - ZION DRIVE/SIDEBURN  
ROAD (ANNANDALE DISTRICT) (TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 requesting authorization for staff to:

- Award a contract to Stafford Grading and Paving Company, Incorporated in the amount of \$667,792.11, for Project 064107, Zion Drive/Sideburn Road, in Subfund 463, Primary and Secondary Road Bond Construction; and
- Reallocate funds in the amount of \$675,139 from Project 006490, Construction Reserve TO Project 064107, Subfund 463, Primary and Secondary Road Bond Construction.

The staff was directed administratively to proceed as proposed.

125. I-21 - ARCHITECTURAL CONTRACT AWARD TO DAVID VOLKERT  
AND ASSOCIATES, INCORPORATED, FOR THE DESIGN OF THE  
FIRE AND RESCUE ACADEMY IMPROVEMENTS (SPRINGFIELD  
DISTRICT) (TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 requesting authorization for

staff to award a contract to David Volkert and Associates, Incorporated in the amount of \$44,053, Fire and Rescue Academy Improvements, Project 009073, Subfund 476, Public Safety Construction for the design and construction of improvements which include:

- The interior renovations of the locker, kitchen and administrative areas;
- The addition of new administrative classroom, lecture and physical training areas;
- Exterior improvements for a hazardous materials training area;
- An underground rescue training area; and
- Additional parking to the Fire and Rescue Academy located at 4600 West Ox Road.

The staff was directed administratively to proceed as proposed.

126. I-22 - ENGINEERING CONTRACT AWARD TO MONACO AND STRICKHOUSER, P.C. FOR THE DESIGN OF CLEMONS COURT STORM DRAINAGE IMPROVEMENTS (MASON DISTRICT) (TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 requesting authorization for staff to award a contract to Monaco and Strickhouser P.C. in the amount of \$28,384, Project I00199, Clemons Court in Subfund 468, Public Works Construction for the preparation of final construction plans and specifications for the installation of approximately 450 linear feet of storm sewer system, 500 linear feet of sodded swale, 100 linear feet of rip-rap and 550 linear feet earth berm.

The staff was directed administratively to proceed as proposed.

127. I-23 - APPROVAL OF DESIGN CONTRACT ADDENDUM FOR WEST OX ROAD IMPROVEMENT (SPRINGFIELD AND PROVIDENCE DISTRICTS) (TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 requesting authorization for staff to execute a contract addendum to Hayes, Seay, Mattern, and Mattern, Incorporated in the amount of \$39,518 for Project 006489, West

Ox Road, in Subfund 463, Primary and Secondary Road Bond Construction, for the West Ox Road improvements, Springfield and Providence Districts.

The staff was directed administratively to proceed as proposed.

128. I-24 - CONTRACT RENEWAL - AGREEMENT FOR ENGINEERING SERVICES FOR SOLID WASTE FACILITY DESIGN AND PLANNING (COUNTYWIDE) (TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 requesting authorization for staff to renew the contract with CH2M Hill in the amount of \$300,000, Subfund 186, I-95 Refuse Disposal in Fiscal Year (FY) 1991 for extending the engineering services for three one year time periods, providing the services were performed satisfactorily.

The staff was directed administratively to proceed as proposed.

129. I-25 - RENEW PURCHASE OF FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) NOTE (OLD MILL ROAD PROJECT) FOR AN ADDITIONAL YEAR (LEE DISTRICT) (TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 requesting authorization for staff to:

- Renew retroactively to June 14, 1990 the Fairfax County Redevelopment and Housing Authority (FCRHA) note in the amount of \$1,289,016.60 for an additional year at the simple interest rate of 8.09 percent; and
- Expend \$112,144.44 for Project 013883, Old Mill Road, Lee District.

The staff was directed administratively to proceed as proposed.

130. I-26 - RENEW PURCHASE OF FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY NOTE (LITTLE RIVER GLEN PROJECT) FOR 90 DAYS (ANNANDALE DISTRICT) (TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 requesting authorization for staff to:

- Renew for an additional 90 days the Fairfax County Redevelopment and Housing

Authority (FCRHA) note in the amount of \$5,500,000 at the simple interest rate of 8.09 percent per annum; and

- Reallocate funding in the amount of \$467,500 from the unrestricted subfund balance in Subfund 411 (FCRHA Revolving Development Fund), Project 003993 (Little River Glen) to provide the temporary funding source. When the construction of Little River Glen is complete, FCRHA bond funds will be requisitioned to reimburse the FCRHA for the interest payment made and to defease the note held by the County along with the accrued interest.

The staff was directed administratively to proceed as proposed.

131. I-27 - BOARD OF SUPERVISORS' WORK SESSION  
ON THE PROPOSED FISCAL YEAR (FY)1991-1995  
CAPITAL IMPROVEMENT PROGRAM (CIP) (TAPE 12)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 25, 1990 announcing that a work session has been scheduled for the Board of Supervisors for Monday, July 9, 1990 at 10:15 a.m. to discuss the proposed Fiscal Year (FY)1991-1995 Capital Improvement Program (CIP).

SBE:SBE

132. 3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT  
APPLICATIONS PCA 78-S-046-2 AND PCA 85-L-060  
(BOARD OF SUPERVISORS, OWN MOTION) (LEE  
DISTRICT) (TAPE 13)

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

Supervisor Hyland disclosed the following campaign contributions that he had received:

- In the amount of \$49.00 from Mr. Thomas F. Nicholson (West\*Spring, Incorporated) in 1987;
- In the amount of \$49.00 from Mr. Gerald T. Halpin in 1987, (Hazel, Thomas, Fiske, Weinder, Beckhorn and Hanes, P.C.) his wife, Mrs. Helen R. Halpin in the amount \$95.00 and his daughter, Ms. Christina L. Halpin in the amount of \$49.00 in 1987;

- In the amount of \$49.00 from Mr. Charles B. Ewing (West\*Spring, Incorporated) in 1987, and his wife, Mrs. Betty G. Ewing in the amount of \$49.00 in 1987;
- In the amount of \$100.00 from Mr. Edwin Lynch (West\*Spring, Incorporated) in the 1987 campaign and in the amount of \$74.00 in 1984; his wife, Mrs. Helen Lynch, in the amount of \$50.00 in 1987; and
- In the amount of \$49.00 from Ms. Mary Potts, the wife of Robert A. Potts, (West\*Spring, Incorporated) in 1987.

Mr. Donnelly had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, which included testimony by three speakers, Theresa Hooper, Staff coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Alexander moved approval Proffered Condition Amendment Applications PCA 78-S-046-2 and PCA 85-L-060. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Davis, Supervisor Hanley and Supervisor McConnell being out of the room.

133. 3:30 P.M. - PH ON TO AMEND THE GROVETON COMMUNITY PLAN TO ADD PHASE VI (LEE DISTRICT) (TAPE 13)

- (R) 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 June 8 and June 15, 1990.

Following the public hearing, which included testimony by one speaker, Supervisor Alexander moved adoption of the proposed Resolution amending the Groveton Community Plan to add Phase VI. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Davis, Supervisor McConnell, and Supervisor Pennino being out of the room.

134. 3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-1-6 (ADOPTION OF STATE LAW) (TAPE 13)

- (O) 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 June 8 and June 15, 1990.

Following the public hearing, Supervisor Pennino moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-1-6 (Adoption of State Law), to adopt actions of the 1990 General Assembly session. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Davis and Supervisor McConnell being out of the room.

135. 3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTIONS 82-4-18, 82-4-19, 82-4-20, 82-4-21, 82-4-22 AND 82-4-22.1 (RELATED TO DRIVING WHILE INTOXICATED - DWI) (TAPE 13)

- (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 June 8 and June 15, 1990.

Following the public hearing, Supervisor Hyland moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Sections 82-4-18, 82-4-19, 82-4-20, 82-4-21, 82-4-22 and 82-4-22.1 (Related to Driving While Intoxicated - DWI), to adopt actions of the 1990 General Assembly session as related to driving while intoxicated. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Davis and Supervisor McConnell being out of the room.

136. 3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 1 (GENERAL PROVISIONS), SECTION 1-1-14 (CLASSES OF MISDEMEANORS; DEFINITION; PUNISHMENTS) (TAPE 13)

- (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 June 8 and June 15, 1990.

Following the public hearing, Supervisor Pennino moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 1 (General Provisions), Section 1-1-14 (Classes of Misdemeanors; Definition; Punishments) to adopt actions of the 1990 General Assembly session. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Davis and Supervisor McConnell being out of the room.

137. 3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 8 (SECURITY ALARM SYSTEMS) AS IT PERTAINS TO THE REGULATION OF SECURITY ALARM SYSTEMS (TAPE 13-14)

- (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 June 8 and June 15, 1990.

Following the public hearing, which included testimony by 12 speakers, Supervisor Bulova stated that in this ordinance, under the required equipment it states:

- "That an alarm system within the County which is equipped with a horn/bell siren or other noise device audible beyond the confines of the premises shall be adjusted in such a manor that it will not sound for longer than 15 minutes before resetting and silencing itself."

Supervisor Bulova pointed out that the very annoying problem of having the alarms sound for long periods of time until the owners come home to turn them off would be resolved.

Following discussion, Supervisor Alexander moved to defer Board decision on the proposed amendments to the Code of the County of Fairfax, Chapter 8 (Security Alarm Systems) as it pertains to the Regulation of Security Alarm Systems until July 9, 1990 at 3:30 p.m. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being out of the room.

138. 3:30 P.M. - BOARD DECISION ON THE ACQUISITION OF A DEDICATION AND EASEMENT NECESSARY FOR THE CONSTRUCTION OF BEL AIR PHASE II, NEIGHBORHOOD IMPROVEMENT PROJECT (MASON DISTRICT) (TAPE 14)

- (R) (NOTE: On May 21, 1990, a public hearing was held and the Board deferred decision until June 4, 1990 and subsequently to June 25, 1990.)

Supervisor Davis moved adoption of the proposed Resolution authorizing the acquisition of land rights necessary to implement the Bel Air Phase II, Neighborhood Improvement Project - C00057.

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

139. 4:00 P.M. - PH ON REZONING APPLICATION RZ 89-P-063 (STRINGFELLOW ROAD INVESTMENT PARTNERSHIP) (PROVIDENCE DISTRICT) (TAPE 14)

At the applicant's request, Supervisor Hanley moved to defer the public hearing on Rezoning Application RZ 89-P-063 and Final Development Plan



Application FDPA 89-P-063 until September 17, 1990 at 5:00 p.m. This motion was seconded by Supervisor Davis and carried by a vote of seven, Supervisor McConnell and Chairman Moore being out of the room.

140. 4:00 P.M. - PH ON REZONING APPLICATION RZ 89-S-029  
(BENNIE H. POTTER, TRUSTEE) (SPRINGFIELD DISTRICT)  
(TAPE 14)

On behalf of Supervisor McConnell, Supervisor Bulova moved to defer Rezoning Application RZ 89-S-029 until September 17, 1990 at 5:00 p.m. This motion was seconded by Supervisor Davis and carried by a vote of seven, Supervisor McConnell and Chairman Moore being out of the room.

141. 4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT  
APPLICATION SEA 81-V-087 (KELLEHER PARTNERSHIP)  
(MOUNT VERNON DISTRICT) (TAPE 15)

(NOTE: Later in the meeting action was taken on Special Exception Amendment Application SEA 81-V-087. See Clerk's Summary Item CL#149).

142. 4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE  
OF THE COUNTY OF FAIRFAX, CHAPTER 24 (BINGO GAMES  
AND RAFFLES) AND TO CHAPTER 112 (ZONING ORDINANCE)  
REGARDING BINGO GAMES AND RAFFLES (TAPE 15)

- (O) 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 June 8 and June 15, 1990.

Following the public hearing, Supervisor Hanley moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 24, (Bingo Games and Raffles), and Chapter 112 (Zoning Ordinance), Article 12 (Signs) to adopt changes to the State Code provisions on bingo games and raffles which were passed during the Virginia General Assembly 1989 and 1990 sessions, to become effective 12:01 a.m. on July 1, 1990. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor McConnell and Chairman Moore being out of the room.

143. 4:00 P.M. - PH ON TO ORDER IMPROVEMENTS AND  
AUTHORIZE ASSESSMENTS TO COURTLAND PARK  
PHASE I (MASON DISTRICT) (TAPE 15)

- (R) 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 June 8 and June 15, 1990.

Following the public hearing, which included testimony by two speakers, Supervisor Davis moved adoption of the proposed Resolution ordering improvements and assessing landowners in Courtland Park, Phase I Mason District. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Hanley, Supervisor McConnell and Chairman Moore being out of the room.

Supervisor Davis asked unanimous consent that the Board direct staff to review the issue of determining an equitable method for assessing the improvements. Without objection, it was ordered.

CM:CM

144. 4:30 P.M. - PH ON REZONING APPLICATION RZ 88-S-056  
(MARTIN E. TURK, TRUSTEE) (SPRINGFIELD DISTRICT)  
(TAPE 15)

On behalf of Supervisor McConnell, Supervisor Bulova, moved to defer the public hearing on Rezoning Application RZ 88-S-056 until September 17, 1990 at 5:00 p.m. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Hanley, Supervisor McConnell, and Chairman Moore being out of the room.

145. 4:30 P.M. - PH ON REZONING APPLICATION RZ 89-D-057  
(THE ESQUIRE GROUP, L.P. NUMBER 11, A VIRGINIA  
LIMITED PARTNERSHIP) (DRANESVILLE DISTRICT  
(TAPE 15)

Mr. William B. Lawson, Jr. reaffirmed the validity of the affidavit for the record.

Mr. Lawson had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and he proceeded to present his case.

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

Supervisor Richards moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 89-D-057 be amended from the R-1 District to the R-3 District subject to the revised proffers dated June 11, 1990. This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor McConnell, and Chairman Moore being out of the room.

146. 4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT  
APPLICATION PCA 87-P-021 (CAPITAL SUN  
CORPORATION) (PROVIDENCE DISTRICT)  
(TAPE 15)

Mr. Steve Fox reaffirmed the validity of the affidavit for the record.

Mr. Fox had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and he proceeded to present his case.

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

Supervisor Hanley moved:

- Approval of Proffered Condition Amendment Application PCA 87-P-021 subject to the revised proffers dated June 19, 1990;
- That the existing house be protected; and
- That as many trees as possible be saved.

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

Supervisor Hanley moved that the Board direct the Director of the Department of Environmental Management (DEM) to waive the sidewalk requirement for the Lot B frontage along Hidden Road as set forth in the Public Facilities Manual (PFM). This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

147. 4:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE  
COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND  
FINANCE), TO IMPOSE A FEE FOR THE CONSTRUCTION,  
RENOVATION OR MAINTENANCE OF COURTHOUSE OR  
JAIL AND COURT-RELATED FACILITIES (TAPE 15)

- (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 June 4 and June 11, 1990.

Following the public hearing, Supervisor Hanley moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 22 (Court Facilities Fee), Sections 4-22-1 and 4-22-2 to impose a fee, not to exceed two dollars, on each criminal or traffic case in the General District or Circuit Court. Revenue generated from the fee may be used for the construction, renovations or maintenance of the courthouse or jail or court-related facilities and to defray increases in the cost of heating, cooling, electricity, and ordinary maintenance, pursuant to Section 14.1-133.2 of the Code of Virginia. 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.

148. 4:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), TO CLASSIFY AS RESIDENTIAL USE FOR TAX PURPOSES UTILITY SERVICE PROVIDED TO COMMONLY USED AREAS WITHIN RESIDENTIAL PROJECTS (TAPES 15-16)

- (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 June 8 and June 15, 1990.

Following the public hearing, which included testimony by three speakers, Supervisor Bulova moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Section 4-6-1 to change the definition of residential user to include utility service provided to commonly used areas within residential projects such as condominium and apartment complexes, with the exception of commercial business entities located therein. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

Supervisor Hanley moved that the Board direct staff, in conjunction with representatives of Virginia Power and Northern Virginia Natural Gas (NVNG), to develop an enforcement plan that would:

- Contain criteria stating which electric and gas meters meet residential or commercial classification under the new ordinance; and
- Include a clear designation of a specific County agency to coordinate this effort so that individual common area customers may contact that County agency to make the case that their property should be taxed under the residential formula as adopted. The criteria for inclusion under the residential tax structure should come before the Board for review before the new ordinance takes effect 60 days from today.

Supervisor Hanley moved that the Board direct the Office of Public Affairs to communicate with the various associations in the County to alert them to this opportunity to have their common areas taxed at a residential rate and the procedure for obtaining this classification. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

149. 4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT  
APPLICATION SEA 81-V-087 (KELLEHER PARTNERSHIP)  
(MOUNT VERNON DISTRICT) (TAPE 16)

Mr. J. Randall Minchew reaffirmed the validity of the affidavit for the record.

Mr. Minchew had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and he proceeded to present his case.

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

Supervisor Hyland moved approval of Special Exception Application SEA 81-V-087 subject to the development conditions dated June 20, 1990 with the following modifications:

- A new Paragraph Four of the Development Conditions shall read as follows: "The applicant shall pave the alley to an 18-foot wide travelway with a thickness section as may be required by the Department of Environmental Management (DEM). This travelway shall be privately maintained equally by the owners of the four building lots shown on the approved Special Exception Plat. Liability insurance for the travelway shall be maintained equally by these lot owners;"
- Condition Number 19, which is new, shall read as follows: "Prior to any construction the applicant shall mark the wetlands delineation limit line with clearly visible continuous tape attached to stakes and this tape shall not be removed until all construction has been completed;"
- Condition 20, which is new, shall read as follows: "Prior to issuance of the first Residential Use Permit (RUP) a homeowners association shall be formed for the purpose of maintaining the travelway. Maintenance costs shall be shared equally among the lot shown in the Special Exception Plat. In addition, prior to the issuance of the first RUP, a restricted covenant shall be recorded among the

Fairfax County Land Records which shall provide that the maintenance of the travelway shall be shared equally among the lots shown on the approved Special Exception Plat;"

- Condition 21, which is new, shall read as follows: "At such time as Fairfax County may acquire a right-of-way necessary to upgrade the travelway to a State standard roadway up to 20-feet from settle line shall be dedicated by the four lots approved on the Special Exception Plat; and
- Waiver of the requirement of a single-family detached dwelling to have frontage on an existing state maintained public street in accordance with Article 2-0102 of the Public Facilities Manual (PFM).

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

150. 5:00 P.M. - PH ON REZONING APPLICATION RZ 89-P-012  
(DAKOTA DEVELOPMENT, INCORPORATED (PROVIDENCE  
DISTRICT)) (TAPES 16-17)

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

- In the amount of \$50.00 from Mr. John Barba (Barba, Mackall, Mackall, Walker and Gibb, P.C.) in 1987.

Mr. Roy Clark reaffirmed the validity of the affidavit for the record.

Mr. Clark had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, which included testimony by three speakers, Kris Abrahamson, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Hanley moved to defer the Board Decision on Rezoning Application RZ 89-P-012 until July 9, 1990 at 5:00 p.m. 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.

151. 5:00 P.M. - PH ON REZONING APPLICATION RZ 89-A-018  
(NV HOMES, L.P.) ANNANDALE DISTRICT (TAPE 17)

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

Mr. Martin had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, which included testimony by three speakers, Cathy Chianese, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Bulova moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 89-A-018 be amended from the R-1 and R-3 Districts to the R-3 District subject to the revised proffers dated June 25, 1990. This motion was seconded by Supervisor Alexander and carried by a vote of four, Supervisor Hyland voting "NAY," Supervisor Davis, Supervisor Hanley, Supervisor McConnell, and Chairman Moore being out of the room.

152. 5:00 P.M. - PH ON REZONING APPLICATION RZ 89-L-020  
(LAYNE DEVELOPMENT CORPORATION) (LEE DISTRICT)  
(TAPE 17)

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

Mr. Martin had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and he proceeded to present his case.

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

Supervisor Alexander moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 89-L-020 be amended from the R-1 District to the R-3 District subject to the revised proffers dated June 25, 1990. This motion was seconded by Supervisor Pennino and carried by a vote of five, Supervisor Bulova, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

153. 5:00 P.M. - PH ON REZONING APPLICATION RZ 89-S-054  
(R.W. CLEMENT, INCORPORATED, A VIRGINIA CORPORATION)  
(SPRINGFIELD DISTRICT) (TAPE 17)

Mr. Ralph Tipp reaffirmed the validity of the affidavit for the record.

Mr. Tipp had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, which included testimony by one speaker, Cathy Chianese, Senior Staff Coordinator, Zoning Evaluation Division,

Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

On behalf of Supervisor McConnell, Supervisor Bulova moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 89-S-054 be amended from the R-1 District to the R-2 District subject to the revised proffers dated May 1, 1990. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Supervisor Pennino being out of the room.

154. 5:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) TO REVISE THE MINIMUM DISTRICT SIZE REQUIREMENTS FOR THE PDC DISTRICT (TAPE 17)

- (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 June 8 and June 15, 1990.

Following the public hearing, Supervisor Richards moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Article 6, to revise the minimum district size requirements for the PDC District to permit parcels within areas designated as Central Business Districts in the adopted Comprehensive Plan to be developed under the PDC District regulations, to become effective June 26, 1990 at 12:01 a.m. This motion was jointly seconded by Supervisor Hanley and Supervisor Hyland and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Supervisor Pennino being out of the room.

155. 7:30 P.M. - PH TO RECEIVE CITIZEN COMMENT ON ISSUES OF CONCERN (TAPES 17-18)

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 June 8 and June 15, 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 four speakers.

156. BOARD ADJOURNMENT (TAPE 18)

At 9:35 p.m., the Board adjourned.