



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
MAY 6, 1991**

Board Package

14-91

CM:CM

The meeting was called to order at 8:55 a.m. with all members being present, with the exception of Supervisor Alexander, and with Chairman Moore presiding.

Supervisor Alexander was absent from the entire meeting.

Others present were Richard A. King, Acting 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. 8:30 A.M. - BOARD MARKUP ON THE PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX CREATING A NEW CHAPTER 118 (CHESAPEAKE BAY PRESERVATION ORDINANCE) (TAPES 1-2)

(NOTE: The public hearing was held on March 18, 1991 and decision deferred until April 29, 1991. On April 29, 1991, action was taken to schedule a markup session on the proposed amendment, with subsequent endorsement on May 20, 1991.)

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 January 11 and January 18, 1991, and March 1 and March 8, 1991.

[NOTE: The document distributed to Board Members and used during the work session is contained in the document dated May 2, 1991 from James P. Zook, Director, Office of Comprehensive Planning (OCP), and entitled, "Chesapeake Bay Ordinance, Attachment One, 5/6/91, 8:30 a.m." The cover memorandum is printed on green paper and addressed to the Board of Supervisors.]

Following a question-and-answer period among Board Members and staff from OCP and the Department of Environmental Management (DEM), the main motion, offered by Supervisor Alexander at the Board of Supervisors' meeting held on April 29, 1991, was restated for the purpose of clarity:

- To endorse the proposed amendment to the Code of the County of Fairfax creating a new Chapter 118 (Chesapeake Bay Preservation Ordinance), as recommended by the Planning Commission and provided to the Board at the work session, subject to the modifications made hereafter.

Supervisor Hyland moved to amend the main motion stated above (Supervisor Alexander's) as follows:

- To include the items *highlighted in green* (contained in work session document dated May 2, 1991 from Mr. Zook and entitled, "Chesapeake Bay Ordinance, Attachment One, 5/6/91, 8:30 a.m.") which are amendments to the language recommended by the Planning Commission.

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

(*NOTE: Later in the meeting, additional amendments were made to the items highlighted in green. See Clerk's Summary Item CL#13.*)

Following further discussion among Board Members, with input from Irving Birmingham, Director, DEM, and Mr. Zook regarding Section 118-3-2 (f)(6)(iii), Page 12, Supervisor Hanley moved that the Board adopt the new language stated by Mr. Zook as follows:

- "Restoring a minimum of twenty (20) percent of the site to vegetated open space, which may include landscaped areas, for a redevelopment site that is completely impervious as currently developed."

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

The proposed ordinance did not specify review periods for various exception procedures; however, staff had suggested 90 days for all exceptions. A subsequent recommendation from staff was distributed to the Board suggesting review periods as follows: Sections 118-6-9, 118-6-3, and 118-6-7: 30 days; Sections 118-6-8 and 118-6-4: 45 days; and Sections 118-6-5 and 118-6-2: 60 days. Following discussion among Board Members regarding Page 23A, with input from Mr. Birmingham and Mr. Zook, Supervisor Hyland moved that the Board amend the motion to change the recommended review periods as follows:

- Minor Additions (Section 118-6-9), Water Quality Improvements (Section 118-6-3), and RMA Opt Out (Section 118-6-7) from 30 TO 15 DAYS;
- Roads (Section 118-6-8), and Buffer Width Exceptions (Section 118-6-4), from 45 TO 30 DAYS; and
- Minor RPA (Section 118-6-5), and Loss of Buildable Area (Section 118-6-2) from 60 TO 45 DAYS.

This motion was seconded by Supervisor Pennino.

Supervisor Davis asked that the motion be amended to include that the Board direct staff, when reporting on May 20, 1991, to include recommendations for a procedure that would allow individuals to obtain "declaratory judgment" from the County, i.e., be informed in advance of what their rights are.

Supervisor Richards asked that the motion be further amended to include that the Board direct staff to include recommendations and the cost for a procedure that would provide individuals the flexibility to obtain an RPA boundary determination directly from the County or through the review of RPA boundaries certified by a private consultant.

Supervisor Hyland moved that the motion be amended that the Board direct staff, when reporting on May 20, 1991 for Board endorsement of the proposed ordinance, include language that would provide for the procedures suggested by Supervisor Davis and Supervisor Richards above, and this was accepted.

The question was then called on the motion, as amended, which CARRIED by a recorded vote a vote of seven, Supervisor McConnell voting "NAY," because the proposed procedures would result in additional staff, Supervisor Alexander being absent.

Because individuals were present in the Board Room to receive Certificates of Appreciation and Proclamations, the Board proceeded with the presentations and announced that the markup on the proposed Chesapeake Bay Preservation Ordinance would be continued later in the meeting.

[NOTE: Later in the meeting, additional actions were taken by the Board on the proposed amendment to the Code of the County of Fairfax creating a new Chapter 118 (Chesapeake Bay Preservation Ordinance). See Clerk's Summary Item CL#13.]

JLD:JLD

3. RESOLUTION COMMENDING SENATOR CLIVE L. DUVAL, II
(TAPE 2)

Senator Clive L. Duval, II was not in attendance at the time of the presentation. Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to determine whether Senator Duval would be present later in the meeting. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

(NOTE: This matter was not discussed later in the meeting.)

4. CERTIFICATES OF APPRECIATION CONGRATULATING
JAMES MADISON HIGH SCHOOL GIRLS BASKETBALL
TEAM (TAPES 2-3)

Supervisor Pennino moved approval of the presentation of the Certificates of Appreciation presented to Coach Pat Deegan and members of the James Madison High School Girls Basketball Team congratulating the Team for winning the State Championship. This motion was seconded by Supervisor Hanley and carried by a vote of five, Supervisor Davis, Supervisor McConnell, and Supervisor Richards being out of the room, Supervisor Alexander being absent.

5. PROCLAMATION DESIGNATING MAY, 1991, AS "OLDER
AMERICANS MONTH" (TAPE 3)

Supervisor Pennino moved approval of the Proclamation, presented to Trudy Wright, Chairman, Commission on Aging, and William Clay, Vice-Chairman, Commission on Aging, and Chairman, Fairfax Senior Citizens Council, designating May 1991 as "OLDER AMERICANS MONTH" in Fairfax County, and calling upon all citizens to recognize the valuable role elders play in the community, and to continue to improve the programs which contribute to the health, welfare, and contentment of older citizens. This motion was seconded by Supervisor Davis and carried by a vote of five, Supervisor Bulova, Supervisor McConnell, and Supervisor Richards being out of the room, Supervisor Alexander being absent.

6. RECOGNITION OF KATHRYN BROOKS FOR HER SERVICE TO
OLDER AMERICANS IN FAIRFAX COUNTY (TAPE 3)

Supervisor Pennino called the Board's attention to a letter from the Commission on Aging requesting that the Board recognize Kathryn Brooks for her contribution to their efforts and to the program initiated at

George Mason University. Accordingly, Supervisor Pennino asked unanimous consent that the Board invite Ms. Brooks to appear before the Board and be recognized for her service. Without objection, it was so ordered.

7. PROCLAMATION DESIGNATING MAY, 1991 AS "UNITED STATES SAVINGS BOND MONTH" (TAPE 3)

Supervisor Pennino moved approval of the Proclamation, presented to Robert Schumacher, Area Manager, United States (U.S.) Savings Bonds Division, U.S. Treasury, designating May 1991 as "U.S. SAVINGS BOND MONTH" in Fairfax County, and urging all employees and citizens of Fairfax County to help celebrate the 50th Anniversary of the program by buying Saving Bonds through their financial institutions or payroll savings plan, and urging County employees to participate in the Savings Bonds campaign held May 6 though May 31, 1991. This motion was seconded by Supervisor Davis and carried by a vote of four, Supervisor Hanley, Supervisor Hyland, Supervisor McConnell, and Supervisor Richards being out of the room, Supervisor Alexander being absent.

AR:AR

8. 10:30 A.M. - PRESENTATION OF THE ANNUAL REPORT OF THE CITIZENS ADVISORY COMMITTEE FOR SOLID WASTE DISPOSAL MATTERS (TAPE 4)

(BACs)

Paul S. Hughes, Chairman, Citizens Advisory Committee (CAC) for Solid Waste Disposal Matters, introduced to Board Members those Committee Members present in the Board Room.

Following the presentation by Mr. Hughes, Supervisor Pennino moved that the Board:

- Commend the entire CAC for its hard work on these matters;
- Refer the Annual Report on Solid Waste Disposal Matters to staff for its review and recommendations; and
- Refer the Report to the Board Procedures Subcommittee for its review of the request for the continued operation of the CAC for Solid Waste Disposal Matters.

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

Supervisor Hyland asked that the motion be amended to include a direction to staff to return within a period of 60 days with its comments on the following recommendations of the CAC for Solid Waste Disposal Matters:

- Adoption of a goal of reducing the per-capita rate of waste generation in 1990 by 10 percent by 1994;
- Adoption of a recycling goal of 45 percent by 1995;
- Aggressively pursue siting of Materials Recovery Facilities in the County;
- Provision of very specific directives to the Economic Development Authority (EDA) to participate with the CAC and County staff in the analysis and stimulation of recycling markets; and
- Adoption of a policy of regional self-sustainability in solid waste management.

In addition, Supervisor Hyland asked that this Annual Report be placed on the agenda of the Board's Environmental Subcommittee following the receipt of staff's reaction and comments. These amendments were accepted.

Following additional Board discussion, with input from Mr. Hughes and John W. diZerega, Director, Department of Public Works, the question was called on the motion, as amended, which carried by a vote of five, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room, Supervisor Alexander being absent.

9. 10:45 A.M. - PRESENTATION BY DR. ROGER STOUGH ON
THE NORTHERN VIRGINIA CHAIR IN LOCAL GOVERNMENT AT
GEORGE MASON UNIVERSITY (TAPE 4)

Supervisor Pennino acknowledged the presence of Mr. Walter A. Scheiber, recently retired Executive Director of the Metropolitan Washington Council of Governments (COG), and warmly welcomed him to the Board Room.

After introducing Mr. Scheiber and Mr. W. Vernon Ford, members of the newly established Institute of Public Policy's Local Government Assistance Program, Dr. Roger R. Stough gave a presentation on the Northern Virginia Chair in Local Government at George Mason University

(GMU). Dr. Stough outlined the national and international aspects of the Program's leadership training involving the policies of public management, science and technology, and regional development.

Chairman Moore expressed the Board's appreciation to Dr. Stough for his informative presentation.

10. 11:00 A.M. - PRESENTATION BY THE ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC) ON THE 1991 ANNUAL REPORT ON THE ENVIRONMENT (TAPES 4-5)

(BACs)

Jay Myerson, Chairman, Environmental Quality Advisory Council (EQAC), introduced to Board Members those EQAC Members present in the Board Room, with particular recognition of James D. Pammel who recently resigned from EQAC and is now serving on the Board of Zoning Appeals (BZA).

Following the presentation of the 1991 Annual Report on the Environment by Mr. Myerson, and Noel Kaplan of the Environmental and Heritage Resources Branch, Office of Comprehensive Planning, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board:

- Direct Anthony H. Griffin, Deputy County Executive for Planning and Development, to schedule regular meetings with EQAC in order to ensure a continuous exchange of current information and ideas; and
- Encourage members of EQAC to attend meetings of the Board's Environmental Subcommittee in an effort to improve communications between EQAC and the Board.

Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

Supervisor Hyland asked unanimous consent that the Board direct staff to provide, at the next meeting of the Environmental Subcommittee, a suggested process or procedure for bringing all of the environmental efforts of the County together in one coordinated endeavor. Without objection, it was so ordered.

Supervisor Hyland moved that the Board direct staff to:

- Review EQAC's 1991 Annual Report on the Environment; and
- Report to the Board within 60 days with its comments and recommendations.

This motion was seconded by Supervisor Pennino.

With reference to a comment by Dr. Denoyer in the EQAC Minutes of April 3, 1991, Supervisor Richards asked that the motion be amended to include an explanation as to why Fairfax County is not participating in the recycling of automobile tires, and this was accepted.

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

JLD:JLD

11. RECESS/EXECUTIVE SESSION (TAPE 6)

At 11:50 a.m., Supervisor Davis moved that the Board recess and go into Executive Session for discussion of matters set forth in the Agenda, as well as for discussion of actual and probable litigation and other specific legal matters requiring the provision of legal counsel, including the following:

- Gust K. Newberg Construction Company
Versus the County of Fairfax, et al.

This motion was jointly seconded by Supervisor Hyland and Supervisor Pennino and carried by a vote of eight, Supervisor Alexander being absent.

At 12:35 p.m., the Board reconvened in the Board Room with all Board Members present, with the exception of Supervisor Alexander, and with Chairman Moore presiding.

12. ACTIONS FROM EXECUTIVE SESSION (TAPE 6)

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

Supervisor Bulova moved that the Board of Supervisors certify that, to the best of their knowledge, only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information

Act and only matters identified in the motion to convene Executive Session were heard, discussed or considered by the Board during the Executive Session. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor Alexander being absent.

B. DISTRICT OF COLUMBIA VERSUS UNITED STATES DEPARTMENT OF COMMERCE, CA 91-0151

Supervisor Pennino moved that the Board authorize participation in District of Columbia versus the United States Department of Commerce, CA 91-0151. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Hanley and Supervisor Richards being out of the room, Supervisor Alexander being absent.

13. CONTINUATION OF BOARD MARKUP ON THE PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX CREATING A NEW CHAPTER 118 (CHESAPEAKE BAY PRESERVATION ORDINANCE) (TAPES 6-7)

[NOTE: Earlier in the meeting, additional actions were taken by the Board on the proposed amendment to the Code of the County of Fairfax creating a new Chapter 118 (Chesapeake Bay Preservation Ordinance). See Clerk's Summary Item CL#2.]

[NOTE: The document distributed to Board Members and used during the work session is contained in the document dated May 2, 1991 from James P. Zook, Director, Office of Comprehensive Planning (OCP), and entitled, "Chesapeake Bay Ordinance, Attachment One, 5/6/91, 8:30 a.m." The cover memorandum is printed on green paper and addressed to the Board of Supervisors.]

Following discussion among Board Members, with input from Mr. Zook, Supervisor Pennino moved that the Board approve the following language for Section 118-6-5(d):

"(1) Upon receipt of a properly submitted and completed application for a Major RPAE Request, or if the Director requests the Board of Supervisors to review a Minor RPAE Request pursuant to Section 118-6-5(c)(4), the Director shall transmit a copy of the exception request application and any other materials submitted by the applicant, along with a recommendation on whether to approve, disapprove, or approve

with conditions the exception request and the basis for his recommendation, to the Clerk to the Board of Supervisors and to the Planning Commission, which may also send a recommendation regarding the exception request to the Board.

(2) The Clerk shall schedule a date for the Board to review the request, and the applicant, the Director, the member of the Board of Supervisors in whose district the subject property is located and the Planning Commission shall be notified of the scheduled date. RPAE requests shall in general be considered by the Board of Supervisors in the order which they are filed with the Director.

(3) The Board shall publish in the Weekly Agenda the date of the Board of Supervisors' meeting at which the exception request will be reviewed. Such publication shall be provided in the issue of the Weekly Agenda that contains the schedule for that particular meeting of the Board of Supervisors. The Board shall make copies of the application and of the Director's recommendation available to the public upon request.

(4) The Board shall consider the factors within Sections 118-6-6(a) through (e) and such other matters as it may deem necessary and appropriate to ensure that water quality will not be detrimentally affected by the proposed activity.

(5) Following the review of the RPAE request application, the Board shall approve or deny the request application. The Board, in approving such a request, may impose such conditions and restrictions upon the proposed activity as it may deem necessary to ensure consistency with the provisions and goals of this Chapter."

This motion was seconded by Supervisor Davis.

Supervisor Hyland moved to amend the motion to include the following language: "...and staff shall make copies of the application and the Director's recommendation available to the public as of the time of publication of the Weekly Agenda notice item."

Following additional discussion, with input from Mr. Zook, Supervisor Hyland WITHDREW his amendment to the motion (Supervisor Pennino's).

The question was then called on the motion (Supervisor Pennino's) which carried by a vote of eight, Supervisor Alexander being absent.

Following discussion among Board Members, with input from Mr. Zook and Mr. Birmingham, Supervisor Pennino moved that the Board approve the following language for Article 7 (Appeals), contained on Page 32 and highlighted in yellow:

"(a) An applicant aggrieved by any decision of the Director of Environmental Management or the Director of Health Services in the administration of this Chapter may, within fifteen (15) days of such decision, appeal the decision to the Board of Supervisors. Such appeal shall be filed with the Clerk to the Board of Supervisors and shall state with specificity the provisions of this Chapter which the applicant alleges to have been violated by the decision and the reasons therefor. A copy of the appeal shall also be delivered to the Director of the Department of Environmental Management within such fifteen (15) day grace period.

(c) The time limits set forth in Section 15.1-475 of Va. Code Ann. shall be tolled during the pendency of an application filed pursuant to Paragraphs (a) and (b) above."

This motion was seconded by Supervisor Davis.

Supervisor Hyland moved a substitute motion that the Board approve the following language for Article 7 (Appeals):

"(a) Any person aggrieved by any decision of the Director of Environmental Management or the Director of Health Services in the administration of this Chapter may, within fifteen (15) days of such decision, appeal the decision to the Board of Supervisors. Such appeal shall be filed with the Clerk to the

Board of Supervisors and shall state with specificity the decision which is the subject of the appeal and the grounds for the appeal, including the specific provisions of this Chapter which the appellant alleges to have been violated by the decision and the reasons therefor. A copy of the appeal shall also be delivered to the Director of the Department of Environmental Management within such fifteen (15) day period.

(b) Upon receipt of an appeal, the Clerk to the Board of Supervisors shall forward a copy of the appeal to the Erosion and Sediment Control Review Board for a recommendation prior to the Board of Supervisors' decision.

(c) The time limits set forth in Section 15.1-475 of Va. Code Ann. shall be tolled during the pendency of an application filed pursuant to paragraphs (a) and (b) above."

This motion was seconded by Supervisor Richards.

Following discussion, the question was called on the substitute motion (Supervisor Hyland's) which FAILED by a recorded vote of six, Supervisor Hyland and Supervisor Richards voting "AYE," Supervisor Alexander being absent.

The question was then called on the main motion (Supervisor Pennino's) which CARRIED by a vote of eight, Supervisor Alexander being absent.

Following discussion among Board Members, with input from Mr. Zook and Mr. Birmingham, Supervisor Pennino moved that the Board approve the following language for Sections 118-6-7 and 118-1-7(c):

"Section 118-6-7. Exceptions to Waive Resource Management Area Performance Criteria.

The applicable RMA performance criteria or requirements may be waived by the Director for a plan of development provided that the owner of the property submits a written exception request and documentation which demonstrates, to the satisfaction of the Director, the following:

(a) The entire property is located outside of the Water Supply Protection Overlay District described in Chapter 112, the Zoning Ordinance;

(b) No land disturbing activities will occur within 100 feet of an RPA; and

(c) None of the following will be disturbed:

(1) Highly erodible soils, including steep slopes greater than 15 percent;

(2) Highly permeable soils;

(3) Wetlands; or

(4) Land within a floodplain."

Section 118-1-7(c)

"(c) RMAs shall include the following:

(1) Any lot or parcel containing land within 100 feet of a Resource Protection Area, exclusive of any land that is located within a Resource Protection Area;

(2) Any lot or parcel that is partially or entirely within the Water Supply Protection Overlay District of the Zoning Ordinance, exclusive of any land that is located within a Resource Protection Area; and

(3) Any lot or parcel containing one or more of the following, exclusive of any land that is located within a Resource Protection Area;

(i) A floodplain;

(ii) Highly erodible soils, including slopes greater than 15 percent;

(iii) Highly permeable soils; and

(iv) A nontidal wetland not included in a Resource Protection Area."

This motion was seconded by Supervisor Davis.

Following discussion among Board Members, with input from Mr. Zook and Mr. Birmingham, Supervisor Hyland moved a substitute motion that the Board approve the following language for Section 118-1-7(c):

"(c) RMAs shall include any area not designated as an RPA."

This motion was seconded by Supervisor Bulova.

For the purpose of clarity, Chairman Moore restated the motions on the floor:

- Supervisor Pennino's (main motion): to adopt the language which states that only certain areas of the RMA will have water quality requirements on them and the exception procedure to waive the performance requirements; and
- Supervisor Hyland's (substitute motion): to adopt the Planning Commission's recommendation that all other lands in the County be the RMA.

The question was called on the substitute motion (Supervisor Hyland's) which CARRIED by a recorded vote of five, Supervisor Davis, Supervisor McConnell, and Supervisor Pennino voting "NAY," Supervisor Alexander being absent.

(TAPE 7)

Following discussion among Board Members, with input from Mr. Zook and Bruce G. Douglas, Branch Chief, Environmental and Heritage Resources Branch, OCP, Supervisor Hyland moved that the Board approve the following language for Section 118-1-7(b):

"(b) RPAs shall include any land characterized by one or more of the following:

- (1) A tidal wetland;
- (2) A tidal shore;

(3) A tributary stream;

(4) That portion of a watercourse with a drainage area of seventy (70) acres or more;

(5) A nontidal wetland connected by surface flow and contiguous to a tidal wetland or tributary stream;

(6) A buffer area as follows:

(i) Any land within a floodplain;

(ii) Any nontidal wetland that is contiguous to a floodplain and is not otherwise included within Section 118-1-7(b)(5);

(iii) Any land within 100 feet of a feature listed in Sections 118-1-7 (b) (1)-(5); and

(iv) Any land with a slope greater than or equal to fifteen (15) percent where such slope begins within fifty (50) feet of a floodplain."

This motion was seconded by Supervisor Bulova.

Supervisor Pennino moved to amend the motion to include that a tributary stream be recognized as a perennial stream.

Following discussion, with input from Mr. Zook, Supervisor Pennino WITHDREW her amendment to the motion.

Supervisor Davis moved to amend the motion to approve the following language for Section 118-1-7(b)(6)(i):

"(i) Any land within a floodplain contiguous and parallel to a perennial stream."

This amendment was seconded by Supervisor Pennino.

Following discussion, with input from Mr. Zook, the question was called on the amendment (Supervisor Davis') which FAILED by a recorded vote of five, Supervisor Davis and Supervisor Pennino voting "AYE," Supervisor McConnell being out of the room, Supervisor Alexander being absent.

Supervisor Davis announced his intent to amend the language of Section 118-6-2(a) later during the discussion.

Supervisor Davis moved to amend the motion to approve the following language for Section 118-1-7(b)(6)(ii):

"(ii) Any nontidal wetland that is continuously connected to a perennial stream and is not otherwise included within Section 118-1-7(b)(5)."

The second to this amendment was inaudible.

Following discussion, with input from Mr. Zook, Supervisor Davis amended his amendment to replace "perennial stream" with "watercourse."

The question was then called on the amendment (Supervisor Davis'), as amended, which CARRIED by a recorded vote of five, Supervisor Hanley, Supervisor Richards, and Chairman Moore voting "NAY," Supervisor Alexander being absent.

Mr. Zook restated the amendment, as amended, as approved by the Board:

"(ii) Any nontidal wetland that is continuously connected to a watercourse and is not otherwise included within Section 118-1-7(b)(5)."

Following additional discussion, the question was called on the motion (Supervisor Hyland's), as amended, to approve the language for Section 118-1-7(b), which CARRIED by a vote of eight, Supervisor Alexander being absent.

Supervisor Davis moved that the Board amend the language previously approved by the Board for Section 118-6-2(a) by replacing "...loss of all buildable area..." with "...loss of a reasonable buildable area..." This motion was seconded by Supervisor Richards.

Following discussion, Supervisor Davis amended his motion to replace "...loss of a reasonable buildable area..." with "...loss of a buildable area..." This was accepted by the seconder.

The question was then called on Supervisor Davis' motion, as amended, which FAILED by a recorded vote of four, Supervisor Davis, Supervisor McConnell, Supervisor Pennino, and Supervisor Richards voting "AYE," Supervisor Alexander being absent.

[NOTE: Earlier in the meeting, action was taken on Section 118-6-2(a) when the Board approved all of the sections highlighted in green. See Clerk's Summary Item CL#2.]

At 2:15 p.m., Chairman Moore announced that she would be departing the Board Room, to return later in the meeting, and relinquished the Chair to Vice-Chairman Pennino. (NOTE: The meeting was adjourned prior to the Chairman's return.)

Supervisor Davis asked unanimous consent that the Board defer discussion on the grandfathering provisions of the proposed Chesapeake Bay Preservation Ordinance until a full Board is present on May 20, 1991. Without objection, it was so ordered.

Supervisor Richards asked unanimous consent that the Board direct staff to provide a copy of the final ordinance, with all approved amendments, as expeditiously as possible, in order to allow Board Members ample time to review the document. Without objection, it was so ordered.

It was the consensus of the Board that staff return on May 20, 1991 with:

- A clean copy of the proposed Chesapeake Bay Preservation Ordinance, as amended by the Board to date, for final adoption; and
- A copy of the grandfathering provisions for final markup by the Board.

Board Members commended staff for their hard work and patience in the difficult process of preparing the proposed Chesapeake Bay Preservation Ordinance for the Board's review.

AR:AR

14. 11:15 A.M. - BOARD DECISION OF THE FAIRFAX COUNTY
ADVERTISED CAPITAL IMPROVEMENT PROGRAM (CIP)
FOR FISCAL YEARS (FY) 1992-1996 (TAPE 8)

Following discussion, Supervisor Bulova moved adoption of the Advertised Capital Improvement Program (CIP) for Fiscal Years (FY) 1992-1996. This motion was seconded by Supervisor Hyland.

With a reference to Page 67, Fund 3099, Supervisor Hanley asked that the motion be amended to show the funds for Project Number One, Miscellaneous Building and Repair, as revised in the FY 1992 Budget Review, in the amount of \$412,182, and this was accepted.

Supervisor Richards asked that the motion be amended to add \$616,000 for the Modular Facility for the Falls Church/McLean Children Center to the CIP for FY 1993, and this was accepted.

Supervisor Bulova referred to those items which were excluded from the CIP due to lack of funds and asked that the motion be amended to direct staff to provide the Board with the "Unfunded List" as an Appendix to the CIP, and this was accepted.

The question was then called on the motion, as amended, which carried by a vote of five, Supervisor Davis*, Supervisor McConnell, and Chairman Moore being out of the room, Supervisor Alexander being absent.

(*NOTE: Later in the meeting, Supervisor Davis expressed his support for the Falls Church/McLean Children Center and asked unanimous consent to be recorded as voting "AYE" on the CIP. Without objection, it was so ordered. See Clerk's Summary Item CL#38.)

BOARD MATTERS

15. ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)
RESOLUTION - RECYCLING EDUCATION IN SCHOOLS
(TAPE 9)

Supervisor Hyland called the Board's attention to the Environmental Quality Advisory Council's (EQAC) resolution on environmental education and practices in Fairfax County's school system that was endorsed by the Board on February 11, 1991. This resolution was developed by EQAC's high school representative, Ms. Marisol Estrella.

Supervisor Hyland then announced that he had recently met with the newly formed Countywide high schools' Green Coalition. During that meeting, students inquired about the disposition of the EQAC resolution and the options presented. In order for the County and Schools to be able to coordinate recycling efforts, Supervisor Hyland asked unanimous consent that the Board request School staff to:

- Provide a report on the EQAC resolution, which should include what types of educational components have been explored to provide an environmental curriculum; whether teaching aides may be provided; what projects will be implemented to provide more environmental awareness; and to what extent recycling has occurred in the Schools; and

- Determine whether the Schools can coordinate with the County on the purchase of recycled supplies.

Without objection, it was so ordered.

16. RECOGNITION OF OUTSTANDING CITIZENS, MARISOL ESTRELLA AND STEVE FERBER, FOR ENVIRONMENTAL CONTRIBUTIONS
(TAPE 9)

Supervisor Hyland called the Board's attention to two individuals who have exhibited extraordinary efforts on behalf of the environment:

- Ms. Marisol Estrella for her efforts in the establishment of the Green Coalition. Through her efforts, and those of several other students, there is now a committee of representatives of existing environmental clubs in Fairfax County high schools and in at least one junior high school. Supervisor Hyland announced that he has invited the Green Coalition to be an advisor to the Board's Environmental Subcommittee on behalf of students. Additionally, Ms. Estrella is an active participant on the Environmental Quality Advisory Council (EQAC); and
- Mr. Steve Ferber, who took an extended sabbatical from his job to develop programs to raise the environmental consciousness of elementary school children. The extent of his efforts is reviewed in a letter from one of Fairfax County's school teachers, Mr. Gary Miller.

Supervisor Hyland then asked unanimous consent that the Board direct staff to invite Ms. Estrella and Mr. Ferber to appear before the Board and be recognized for their contributions and efforts to educate students on environmental issues. Without objection, it was so ordered.

17. EARTH DAY CELEBRATION (TAPE 9)

Supervisor Hyland announced that on Saturday, April 20, 1991, in celebration of Earth Day, the Mount Vernon and Lee Districts instituted a major 14-mile clean-up of historic Route One.

Two super Mount Vernon volunteers, Ginnie and Joe Weber, in cooperation with Clean Fairfax, Incorporated, organized this largest ever Mount Vernon-Lee Earth Day project. The following organizations assisted in the clean-up effort: the West Potomac High School Environmental Club, the Woodlawn and Mount Vernon Kiwanis, the Mount Vernon-Lee Chamber of Commerce, the Mount Vernon High School DECA Club, the Fairfax County Social Center for Psychiatric Rehabilitation, the United Community of Ministries Youth Group, the Mount Vernon Youth Council, the Southeast Fairfax Development Corporation, the Federation of Lorton Communities, the Pohick Church Youth, the Boys Probation House, the Mount Vernon Council of Citizens Associations, the West Potomac Key Club, Boy Scout Troop 993, Doro's Kleen-Rite Maid Services, Incorporated, Fort Belvoir's D-Company, 610th Ordnance Bn., Fairfax House, Juvenile Court offenders, and people from the Crossroads program.

Todd Restaurants/Hardees, McDonalds, Krispy Kreme, Dunkin' Donuts and the Rent-All Center donated food and drink. Waste Management picked up the 8.5 tons of trash collected and the Fairfax County Office of Waste Management accepted it free of charge. The Virginia Department of Transportation (VDOT) provided orange trash bags, safety vests, electronic caution signs and one of its road sweepers. The Department of Health and the Department of Zoning worked closely with Ms. Weber to identify health and zoning code violations.

As a result of this major effort, it is anticipated that the entire 14 miles of historic Route One will be adopted by the public under VDOT's Adopt-A-Highway program.

Supervisor Hyland moved that the Board direct staff to invite Mr. and Mrs. Weber, and all of the other volunteers, to appear before the Board and be recognized for their participation in the Route One clean-up effort and their commitment to a better environment. This motion was seconded by Supervisor Bulova and carried by a vote of five, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room, Supervisor Alexander being absent.

18. MOUNT VERNON DISTRICT PUBLIC MEETING FOR SELECTION
OF SCHOOL BOARD MEMBER (TAPE 9)

Supervisor Hyland announced that the public meeting date for the selection of a new School Board Member for the Mount Vernon District has been changed to May 20, 1991, at 7:30 p.m. and will be held at the Saudi Islamic Academy, the former Walt Whitman Intermediate School. Comments will be made by the seven candidates seeking the position.

PMH:PMH

19. PROPOSED CITIZENS' AWARD (TAPE 10)

Vice-Chairman Pennino stated that she and Chairman Moore had been invited to attend a celebration for Katherine Shouse's 95th birthday. She said that there was a gala event at the Wolf Trap Center for the Performing Arts highlighted by the performances of internationally famous artists.

Vice-Chairman Pennino said that Mrs. Shouse through her vision, generosity, stamina and determination has placed in Fairfax County a great cultural jewel for all to enjoy.

Therefore, Vice-Chairman Pennino relinquished the Chair to Acting-Chairman Hyland and she moved that the Board direct staff to give consideration and report with a recommendation for developing an appropriate award to recognize citizens who have contributed outstanding efforts to Fairfax County. This motion was seconded by Supervisor Bulova and carried by a vote of five, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room, Supervisor Alexander being absent.

20. PROPOSED OFFICIAL BOARD POLICY REGARDING BUSINESS, INDUSTRY, COMMERCE, AND DEVELOPMENT IN FAIRFAX COUNTY (TAPE 10)

Supervisor Pennino stated that she was visited by representatives of EDS who inquired as to what Fairfax County's feelings were toward industry, in particular to EDS. She said that she advised them that they were welcome and that the County would like to see them move forward with their development plans. She said that they will be meeting with Acting County Executive Richard A. King sometime this week.

Mr. King responded that he had already met with representatives from EDS and that they were very satisfied and that staff had answered all of their questions and concerns.

Supervisor Pennino asked unanimous consent that the Board direct staff to prepare a statement of policy for the Board's consideration that it can adopt that becomes the official policy concerning its position regarding business, industry, commerce and development in Fairfax County. Without objection, it was so ordered.

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

21. EXPEDITED PROCESSING FOR THE REAPPLICATION OF
SPECIAL EXCEPTION APPLICATION SE 87-P-127,
THE MOUNT (TAPE 10)

Supervisor Hanley referred to the Mount, an historic property located off Idylwood Road, and stated that its Special Exception Application had expired. Supervisor Hanley moved that the Board direct staff to expedite the reapplication (to be scheduled before the Board no later than October, 1991) of Special Exception Application SE 87-P-127 to reapply and have reapproved the Special Exception Plat and development conditions that were approved by the Board. This motion was seconded by Supervisor Hyland.

Following discussion, Supervisor Hyland stated that there were a number of individuals who had Special Exception Applications approved and who for good and sufficient reasons due to the economy are finding themselves boxed in. Supervisor Hyland asked that the motion be amended to direct staff to review the Special Exception Applications that have been approved and review the existing criteria for giving individuals leeway rather than forcing them to come back through the process and this was accepted.

Following input from James P. Zook, Director, Office of Comprehensive Planning, the question was called on the motion which carried by a vote of five, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room, Supervisor Alexander being absent.

22. REQUEST FOR FAIRFAX COUNTY REDEVELOPMENT AND
HOUSING AUTHORITY (FCRHA) TO REPORT TO
THE BOARD (TAPE 10)

Supervisor Hanley stated that she had read in a memorandum to the Fairfax County Redevelopment and Housing Authority (FCRHA), Planning and Development Committee dated April 30, 1991, that 160 units had been bought and sold in a project. She added that information available to staff indicated that the units were sold at prices in excess of those permitted under the terms of the proffer. However, FCRHA is advised that since the proffers run with the land there is no way at this time to pursue a claim against the developer. The only recourse would be against the purchasers of the units.

Therefore, Supervisor Hanley asked unanimous consent that the Board direct the FCRHA to report to the Board as to what happened and what steps are being taken to ensure that this does not happen again. Without objection, it was so ordered.

23. STAFF REQUESTED TO REVIEW FILING FEES ASSOCIATED WITH APPLICATIONS THAT ARE MODIFIED TO A LESSER DENSITY (TAPE 10)

Supervisor Hanley referred to an issue that she had raised previously requesting recommendations on better ways to handle filing fees associated with applications that are subsequently modified to a lesser density. She said that staff had responded to the request but that she was interested in knowing how to accomplish this without making the citizenry feel that the Board is doing something "sneaky" that staff has not requested.

Supervisor Hanley referred to the staff response: "...the situation may occur in which the applicant has been advised specifically that he/she should apply for a certain zoning district and such advice may prove to be an error. If such an instance were to occur, it may be appropriate for the Board to waive the amendment fees since the problem was not of the applicant's own making..." Supervisor Hanley asked unanimous consent that the Board direct staff to report with a process which indicates that the County requests the applicant to come in at a lower and different density.

Following input from James P. Zook, Director, Office of Comprehensive Planning, the request was so ordered.

24. GYPSY MOTH BULLETIN (TAPE 10)

Supervisor Hanley stated that she had recently raised the issue whereby a constituent had received six copies of the Gypsy Moth mailout and all were addressed differently. She noted that the citizen had six different parcels in the County and five of them were located in spray blocks and the other one was an exception. She said that the computer system listed the address to which the tax bill was sent.

Supervisor Hanley pointed out that this situation highlights the need for improved information technology.

25. GOVERNOR SIGNS BUDGET (TAPE 10)

Supervisor Hanley noted that the Governor had signed the budget. She said that its impact on Fairfax County was not yet clear. She reviewed some of the cuts made by the Governor.

26. A-6 - CONTINUANCE OF THE FAIRFAX COUNTY PARK AUTHORITY (TAPE 10)

(BACs)

Supervisor Hanley called the Board's attention to Action Item Six - Continuance of the Fairfax County Park Authority and moved that the Board:

- Authorize the extension of the present agreement between the Board of Supervisors and the Park Authority until July 2, 1991.

Following a query from David I. Stitt, County Attorney, Supervisor Hanley restated her motion for clarity: That the Board concur in the recommendation of staff and:

- Adopt an emergency ordinance amendment which continues the Fairfax County Park Authority in existence until July 2, 1991; and
- Authorize the extension of the present agreement between the Board of Supervisors and the Park Authority until July 2, 1991.

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

VLL:VLL

27. HERNDON HIGH SCHOOL RECEIVES THE SUDLER
FLAG OF HONOR (TAPE 11)

Supervisor Richards stated that at the Board of Supervisors' meeting held on April 29, 1991, she had announced that the Herndon High School Band has been awarded the Sudler Flag of Honor, the nation's most prestigious award for high school concert bands. She stated that this year Herndon High School Band was the only band in the entire nation to receive the award. She asked unanimous consent that the Board direct staff to invite the Herndon High School Band to appear before the Board on May 20, 1991:

- To display the Sudler Flag of Honor for Board Members; and
- To receive appropriate recognition.

Without objection, it was so ordered.

28. ZONING ORDINANCE AMENDMENT REQUESTED TO ADDRESS
THE MINIMUM YARD REQUIREMENTS SPECIFICALLY FOR
WHEELCHAIR RAMPS (TAPE 11)

Supervisor Richards called to the Board's attention a situation that had recently occurred in the Dranesville District whereby a constituent had learned that a variance application was needed in order to construct a

wheelchair ramp in his front yard. Because of the configurations of his lot and front walk, the wheelchair ramp extends into the minimum required front yard. Unfortunately, with the unexpected disability of his wife, the steps leading to the home, and the time delay between filing for the variance and the public hearing, the constituent will be bringing his wife home even before he will learn whether he is permitted to construct the wheelchair ramp.

Supervisor Richards asked unanimous consent that the Board direct staff to:

- Determine whether the Zoning Ordinance could be revised to allow for an exception of the minimum yard requirements specifically for wheelchair ramps so that public hearings are not required; and
- Report as expeditiously as possible with its findings.

Supervisor Richards stated that, in many cases, the need for wheelchair ramps cannot be predicted ahead of time.

Without objection, it was so ordered.

29. "AGENDA 2000: THE NORTHERN VIRGINIA DISABILITIES FORUM"
(TAPE 11)

Supervisor Richards announced that Agenda 2000: The Northern Virginia Disabilities Forum will commence this month. Forum One on Technology and Disabilities is scheduled for Monday, May 20, 1991 from 4:00 p.m. until 8:00 p.m. at the George Mason University Student Union II Ballroom.

Supervisor Richards stated that this series of forums for the disabilities communities of Northern Virginia is targeted to consumers, businesses, advocacy organizations, and public and private agencies at the local and state levels. A wide array of representatives will be available to interact with anyone interested in attending the forums. Verdia L. Haywood, Deputy County Executive for Human Services, will be making a presentation at Forum One scheduled for May 20, 1991.

For additional information, Supervisor Richards encouraged all interested persons to contact:

Eveline Giotta
703/934-0895

30. INSTALLATION OF AUDIO LOOPS IN PUBLIC MEETING ROOMS TO AMPLIFY SOUND FOR THE HEARING IMPAIRED (TAPE 11)

Supervisor Richards stated that it had been recently called to her attention that audio loops can be installed in public meeting rooms at a relatively low cost to amplify sound for the hearing impaired. The wire loops transmit an amplified sound to those persons who have a device which ties into the system. She stated that the "beauty" of this system is that the sound is only amplified for those persons who need it.

Accordingly, Supervisor Richards asked unanimous consent that the Board direct staff to investigate whether these audio loops can be installed at the McLean Governmental Center's community room and other governmental centers which have public meeting rooms. She stated that, assuming that the cost is not prohibitive, this could be a tremendous resource that the County could provide for its hearing impaired. Without objection, it was so ordered.

31. ADMIN 2 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 88-D-059 (RUCKER - BEVERLY JOINT VENTURE) (DRANESVILLE DISTRICT) (TAPE 11)

Supervisor Richards called the Board's attention to Administrative Item Two - Additional Time to Commence Construction for Special Exception Application SE 88-D-059 (Rucker - Beverly Joint Venture). She moved that the Board approve the request for additional time to commence construction for Special Exception Application SE 88-D-059 until *May 13, 1991* pursuant to the provisions of Section 9-015 of the Zoning Ordinance. This motion was seconded by Supervisor Davis and carried by a vote of six, Supervisor McConnell and Chairman Moore being out of the room, Supervisor Alexander being absent.

(NOTE: Later in the meeting, this action was reconsidered and action taken to approve additional time until *May 13, 1992*. See Clerk's Summary Item CL#34.)

32. ZONING ORDINANCE AMENDMENT REQUESTED TO ADDRESS THE SUBMISSION REQUIREMENTS SPECIFICALLY FOR FENCE VARIANCES (TAPE 11)

Supervisor Richards stated that she had previously requested staff to investigate the fees charged to homeowners applying for residential fence variances. She expressed her appreciation to staff for reporting in an expeditious manner with a Zoning Ordinance amendment to reduce the fee from \$900 to \$100.

Supervisor Richards stated that she would like staff to revisit the issue of fence variances and investigate a change in the submission requirements. She called to the Board's attention that many homeowners wish to erect fences that go beyond what the current Zoning Ordinance allows. She stated that she recognizes that in applying for a variance, applicants are seeking exceptions to the Zoning Ordinance and, while homeowners are more than willing to apply for a variance, many are dissuaded upon learning that their lots must be surveyed and their plans must contain an engineer's stamp, etcetera.

Supervisor Richards moved that the Board direct staff to:

- Determine whether the same requirements that apply to all variances should apply to a variance to construct a fence; and
- Report to the Board with its recommendation.

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

33. COMPLAINTS RECEIVED FROM CITIZENS REGARDING THE TIMELINESS IN RECEIVING AUTOMOBILE DECALS THROUGH THE MAIL (TAPE 11)

Supervisor Richards stated that her office has received numerous complaints from constituents regarding the delays they encountered when purchasing their County automobile decals (County decals) through the mail. She stated that staff from the Office of Assessments had informed her that it can take as much as six weeks before a citizen may receive the decal by mail.

Supervisor Richards asked unanimous consent that the Board direct staff to provide better notification to County residents regarding the length of time it can take when purchasing County decals through the mail.

34. RECONSIDERATION OF ADMIN 2 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 88-D-059 (RUCKER - BEVERLY JOINT VENTURE) (DRANESVILLE DISTRICT) (TAPE 11)

(E1) (NOTE: Earlier in the meeting, action was taken to approve additional time until May 13, 1991. See Clerk's Summary Item CL#31.)

Supervisor Richards moved that the Board reconsider its earlier action on Administrative Item Two - Additional Time to Commence Construction for Special Exception Application SE 88-D-059 (Rucker - Beverly Joint Venture), approving additional time until May 13, 1991. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor McConnell and Chairman Moore being out of the room, Supervisor Alexander being absent.

Supervisor Richards moved that the Board approve the request for additional time to commence construction for Special Exception Application SE 88-D-059 until May 13, 1992 pursuant to the provisions of Section 9-015 of the Zoning Ordinance. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor McConnell and Chairman Moore being out of the room, Supervisor Alexander being absent.

35. PROCLAMATION DESIGNATING "NURSES WEEK"
(TAPE 11)

Supervisor Davis moved approval of the Proclamation designating May 5 through May 11, 1991, as "NURSES WEEK" in Fairfax County, and asking that all residents acknowledge nurses who care for all individuals, and their efforts to improve the health care system. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor McConnell and Chairman Moore being out of the room, Supervisor Alexander being absent.

36. REGULAR ACCOUNTING REQUESTED ON REVITALIZATION BOND MONEY (TAPE 11)

Supervisor Davis called the Board's attention to the issue regarding revitalization bond money. He stated that citizens in both the Annandale and Bailey's revitalization areas have approached him with concerns regarding the high administrative costs associated with the projects.

Supervisor Davis moved that the Board direct staff to provide a regular accounting of revitalization bond money. He announced that he had sent a memorandum to J. Patrick McDonald, Deputy County Executive for Management and Budget, on April 11, 1991 requesting such an accounting regarding the expenditure of bond money on a monthly basis. He stated that he felt it would be a good idea to have an accounting to avoid waste of public money for all six areas that receive revitalization bond money. In Mason District, he stated that both the Annandale Central Business District (CBD) Planning Committee and the Bailey's Task Force had expressed concern regarding the amount of money spent on the administration of capital improvement projects. For example: in Annandale on the Columbia Pike project, staff costs exceeded \$36,000 to administer a contract totaling \$125,000.

Further, Supervisor Davis moved that the Board direct staff to report on June 3, 1991 with a recommended maximum per cent of bond money allowed for administrative costs on all revitalization capital projects, in particular, the Annandale and Bailey's areas. He stated that staff should provide the Board with background information for similar projects from nearby jurisdictions. For example: Broad Street in Falls Church and Main Street in the City of Fairfax. This motion was seconded by Supervisor Bulova and carried by a vote of five, Supervisor Hanley, Supervisor McConnell, and Chairman Moore being out of the room, Supervisor Alexander being absent.

37. RENAMING OF A PORTION OF SEMINOLE AVENUE IN MASON DISTRICT TO "SEMINOLE COURT" (TAPE 11)

Supervisor Davis moved that the Board direct staff to rename the area at the end of the Seminole Avenue in Mason District "Seminole Court." He called to the Board's attention that this portion has been vacated and was previously a portion of 4th Street.

Supervisor Davis said that this area includes:

- The former 6427 4th Street, Lots 24A, 25A, 26A, and 27A, and Lots 24, 25, 26, and 27;
- The former 6422 4th Street, Lots 71, 72, and 73; and
- The former 6419 4th Street, Lots 28A, 29A, 30A, 31A, and 32A, and Lots 28, 29, 30, 31, and 32.

This motion was seconded by Supervisor Bulova.

Following Board discussion, Supervisor Davis announced that all parties were in agreement with this name change.

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

38. REQUEST TO RECORD VOTE ON ACTION TAKEN ON THE FAIRFAX COUNTY ADVERTISED CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL YEARS (FY) 1992-1996 (TAPE 11)

[NOTE: Earlier in the meeting, action was taken on the Advertised Capital Improvement Program (CIP) for Fiscal Years (FY) 1992-1996. See Clerk's Summary Item CL#14.]

Supervisor Davis asked unanimous consent that he be recorded as voting "AYE" on Supervisor Richards' motion to include the Falls Church/McLean Children's Center in the Advertised CIP for FY 1992-1996. He further asked that the record reflect his strong support for the Center and for Supervisor Richards' efforts on the Center's behalf. Without objection, it was so ordered.

39. REQUEST WAIVER OF FILING FEES FOR PROFFERED
CONDITION AMENDMENT APPLICATION FILED BY
THE SEVEN OAKS II HOMEOWNERS' ASSOCIATION
(TAPE 11)

Supervisor Davis called the Board's attention to Proffer Twelve of the proffers accepted with the approval of Rezoning Application RZ 75-M-112 which states that:

- "...recreation facilities for all age groups will be provided on site..."

In response to a request for a proffer interpretation, Supervisor Davis stated that Barbara A. Byron, Division Director, Zoning Evaluation Division, Office of Comprehensive Planning (OCP), determined that Proffer Twelve could be satisfied with the posting of an escrow account with the County for future disbursements to the homeowners' association when it presents specific plans to the County for recreational facilities. Subsequently, these funds were placed in an escrow account with the County. He stated that a copy of Ms. Byron's letter of interpretation was forwarded to his office.

Supervisor Davis stated that the Seven Oaks II Homeowners' Association is intending to pursue a Proffered Condition Amendment Application to permit the use of funds for purposes other than the construction of recreational facilities. On January 28, 1991, the Board directed staff to review the issues associated with waiving the filing fees for the application of this Homeowners' Association. He stated that Paragraph One of Section 18-106 of the Zoning Ordinance states that "...all applications shall be accompanied by a filing fee unless otherwise waived by the Board for good cause..."

Accordingly, Supervisor Davis moved that the Board direct staff to waive the filing fees associated with the Proffered Condition Amendment Application filed by Seven Oaks II Homeowners' Association. This motion was seconded by Supervisor Hanley.

Following Board discussion, the question was called on the motion which carried by a vote of six, Supervisor McConnell and Chairman Moore being out of the room, Supervisor Alexander being absent.

AR:AR

40. SPECIAL EXCEPTION APPLICATION SE 90-A-014
(AMERICAN CAR WASH) WAIVER REQUEST (TAPE 12)

Supervisor Bulova stated that on December 3, 1990, the Board approved American Car Wash Special Exception Application SE 90-A-014; however, there were no development conditions requiring frontage improvements on Route 236 or a service drive because the applicant leases the property where the car wash is located. She added that efforts by the applicant to get the landowner to agree to the improvements were unsuccessful.

Since the Site Plan review process cannot proceed until this matter is resolved, Supervisor Bulova moved that the Board direct staff to approve a waiver of the frontage improvements on Route 236 and waiver of the service drive requirements for Special Exception Application SE 90-A-014. This motion was seconded by Supervisor Davis and carried by a vote of six, Supervisor McConnell and Chairman Moore being out of the room, Supervisor Alexander being absent.

41. ANNANDALE FESTIVAL OF THE ARTS (TAPE 12)

Supervisor Bulova announced that Annandale will host the gala opening of the new Community Cultural Center at the Annandale campus of the Northern Virginia Community College on Friday, May 10 and Saturday, May 11. She noted that the event will begin Friday evening with a performance by the Capitol Steps, a well known political satire group. Tickets for the performance are \$25.00 each and may be reserved by calling 425-9300.

With a notation that the activities will be held both inside and out of the new facility, Supervisor Bulova stated that the festival will continue at 9:45 a.m. on Saturday, May 11. Visitors may enjoy a number of high school bands, jazz, dance companies, puppets, show choirs, choruses (including the award winning Sweet Adelines) and the Fairfax Chorale, the Northern Virginia Youth Symphony, magicians and story telling. All of these events are free to the public. Attendees of both days' events will have the opportunity to view the winners of the 1991 Fairfax County Council of the Arts Open Exhibition on display at the Center.

Supervisor Bulova noted that the Festival will have an ethnic flair, Italian, Greek, Korean, and American, which will be reflected in the food as well as the performances.

Supervisor Bulova noted that jazz lovers will have something to be excited about, because from 3:00 to 4:00 p.m., jazz great Charlie Byrd and award winning Pete Kennedy will be performing. Tickets to this event are \$5.00 for adults and \$2.00 for students, available on site or in advance by calling her office.

Supervisor Bulova asked unanimous consent that the Board invite the members of the Festival Steering Committee and the major contributors for the event to come before the Board for special recognition for their efforts. Without objection, it was so ordered.

SBE:SBE

42. ADMINISTRATIVE ITEMS (TAPE 13)

Supervisor Davis moved approval of the Administrative Items. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor McConnell and Chairman Moore being out of the room, Supervisor Alexander being absent.

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

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated May 6, 1991 be recommended for acceptance into the State Secondary System.

ADMIN 2 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION
FOR SPECIAL EXCEPTION APPLICATION SE 88-D-059
(RUCKER - BEVERLY JOINT VENTURE) (DRANESVILLE
DISTRICT)

[NOTE: Earlier in the meeting, action was taken on Administrative Item Two - Additional Time to Commence Construction for Special Exception Application SE 88-D-059 (Rucker - Beverly Joint Venture), to approve the request for additional time to commence construction for Special Exception Application SE 88-D-059 until *May 13, 1991.* See Clerk's Summary Item CL#31. Later in the meeting, this action was reconsidered and action taken to approve additional time until *May 13, 1992.* See Clerk's Summary Item CL#34.]

ADMIN 3 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING ON THE PROPOSED JEFFERSON MANOR
CONSERVATION PLAN (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on June 17, 1991 at 4:00 p.m. on the proposed Jefferson Manor Conservation Plan, Lee District.

ADMIN 4 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), SECTIONS 4-22-1 AND 4-22-2, TO CONTINUE THE COUNTY COURT FACILITIES FEE ON CRIMINAL AND TRAFFIC CASES

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on June 3, 1991 at 4:00 p.m. on proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Sections 4-22-1 and 4-22-2, to consider the continuation of the County court facilities fee now levied on criminal and traffic cases. [That fee was enacted by the Board on June 25, 1990, for Fiscal Year (FY) 1991, but without an ordinance amendment that fee will expire on July 1, 1991.]

ADMIN 5 - AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 107 (PROBLEM SOILS) AND PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL

- (A) Authorized the advertisement of a public hearing to be held before the Planning Commission on May 30, 1991 and before the Board of Supervisors on June 17, 1991 at 4:00 p.m. on proposed amendments to the Code of the County of Fairfax, Chapter 107 (Problem Soils), and proposed amendments to the Public Facilities Manual (PFM), to address issues related to problem soils, storm water detention facilities and their location, curb cuts, drainage considerations during street construction, and sewer lines.

43. A-1 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING: DWELLING UNIT AS AN ACCESSORY USE TO A FUNERAL HOME OR FUNERAL CHAPEL (TAPE 13)

- (A)
(R) Following discussion regarding the advertisement procedures for Zoning Ordinance amendments, Supervisor Hanley moved that the Board concur in the recommendation of staff and adopt a Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on June 6, 1991 and before the Board of Supervisors on July 22, 1991 at 3:30 p.m. on a proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to permit a residence for an employee and his/her family as an accessory use to a funeral home or funeral chapel. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor McConnell and Chairman Moore being out of the room, Supervisor Alexander being absent.

44. A-2 - FAIRFAX COUNTY PUBLIC LIBRARY GRANT APPLICATION TO THE UNITED STATES (U.S.) DEPARTMENT OF EDUCATION, ISCA, TITLE V, FOREIGN LANGUAGE MATERIALS ACQUISITION PROGRAM (TAPE 13)

Supervisor Hanley moved that the Board concur in the recommendation of staff and approve the Library Administration's grant application in the amount of \$35,000 to purchase foreign language materials in Spanish and Vietnamese. There is no local case match requirement for this grant. In kind costs total \$18,281 and will be covered within the Library's base funding level. This motion was seconded jointly by Supervisor Davis and Supervisor Hyland and carried by a vote of six, Supervisor McConnell and Chairman Moore being out of the room, Supervisor Alexander being absent.

45. A-3 - APPROVAL TO ACCEPT VIRGINIA HOUSING PARTNERSHIP FUND - CHECK OFF FOR HOUSING GRANT (TAPE 13)

Supervisor Hyland moved that the Board concur in the recommendation of staff and accept the Check Off for Housing Grant in the amount of \$3,034. This site specific grant is awarded for the accessibility renovations to the Beacon Hill Road mental health group home in the Mount Vernon District. This motion was seconded by Supervisor Davis and carried by a vote of six, Supervisor McConnell and Chairman Moore being out of the room, Supervisor Alexander being absent.

46. A-4 - PROPOSED FEDERAL CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 1992-1996 (TAPE 13)

Supervisor Richards moved that the Board concur in the recommendation of staff and authorize staff to submit comments to the National Capital Planning Commission (NCPC), which states that Fairfax County endorses the Proposed Federal Capital Improvement Plan (CIP), Fiscal Year (FY) 1992 - FY 1996, with the condition that Fort Belvoir continue to collaborate with County staff in their expansion and development process as a result of the Base Realignment and Closure Act of 1988, and to mitigate all environmental, transportation, and public facilities impacts as a result of this expansion.

In addition, it will be stated that the County's endorsement of the Federal CIP is in no way to be construed as acceptance of the Fort Belvoir projects, especially roads. This authorization also will direct staff to continue to monitor all identified projects and coordinate with appropriate Federal agencies to ensure that the County's interests are protected.

Following discussion, with input from Acting County Executive Richard A. King, the motion was seconded by Supervisor Hyland, subject to the comments from staff which reference Fort Belvoir and the proposed contributions to the County with regard to transportation impacts, as well as environmental concerns. It was noted that the following language is included as part of the main motion: "...with the condition that Fort Belvoir continue to collaborate with County staff in their expansion and development process as a result of the Base Realignment and Closure Act of 1988, and to mitigate all environmental, transportation, and public facilities impacts as a result of this expansion..."

Supervisor Hyland called the Board's attention to the fact that the Southeast Fairfax Development Corporation (SFDC) had held a seminar on Saturday, May 4, 1991. He stated that a representative from Fort Belvoir had been present at the seminar and had indicated that the transportation consultant study would be completed and available sometime this month and would include the amount of contributions and comments from the Department of Defense. He added that the representative could not answer his query regarding the anticipated trip generation for the proposed commissary and other proposed facilities at the post. Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to investigate his query regarding trip generations and report back as expeditiously as possible. Without objection, it was so ordered.

Supervisor Richards called the Board's attention to the Turner Fairbank Highway Research Center. Because the building is proposed to be approximately 40,000 square feet (three-story) and will be overlooking Turkey Run Farm Park, she asked that the motion be amended to include comments "to ensure that the landscaping around the parameter of that site is such that this building does not intrude on the Colonial Farm." With regard to the truck test facility, she further asked that comments be included "to ensure that the noise generated by the testing process be contained within the structure," and this was accepted.

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

47. A-5 - PROPOSED POLICIES TO GUIDE VOLUNTEERISM
IN FAIRFAX COUNTY (TAPE 13)

Following discussion, with input from staff, Supervisor Hyland moved that the Board:

- Return Action Item Five - Proposed Policies to Guide Volunteerism in Fairfax County to staff for further review; and
- Direct staff to report with recommendations to fill the position with volunteer(s) and procedures that would permit the position to be filled by volunteer(s) rather than paid personnel.

The seconder to this motion was inaudible.

Supervisor Bulova asked that the motion be amended to include:

- Board approval of Action Item Five; and
- Direction to staff to seek and fill the vacant position to implement the recommendations and manage the ongoing activities associated with the recommendations with volunteer(s), if possible.

Following further discussion, with input from Verdina L. Haywood, Deputy County Executive for Human Services, the amendment to the motion was clarified to state that the Board:

- Concurs in the recommendation of staff; and
- Approves the "Proposed Policies to Guide Volunteerism within Fairfax County," to improve and expand volunteer activities within the Fairfax County government.

This was accepted.

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

48. A-6 - CONTINUANCE OF THE FAIRFAX COUNTY PARK AUTHORITY (NO TAPE)

[NOTE: Earlier in the meeting, action was taken on Action Item Six - Continuance of the Fairfax County Park Authority to adopt an emergency ordinance amendment which continues the Fairfax County Park Authority in existence until July 2, 1991; and authorize the extension of the present agreement between the Board of Supervisors and the Park Authority until July 2, 1991. See Clerk's Summary Item CL#26.]

49. I-1 - ROAD BOND PROGRAM - BOARD OF SUPERVISORS'
MONTHLY STATUS REPORT FOR APRIL, 1991 (TAPE 13)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 6, 1991 presenting the Road Bond Program - Board of Supervisors' Monthly Status Report for April, 1991.

Supervisor Richards asked unanimous consent that the Board direct staff to forward to her office copies of:

- The recommended traffic signal timings that were submitted to the Virginia Department of Transportation (VDOT) on February 20, 1991; and
- The draft of the long term recommendations that staff is currently reviewing.

Without objection, it was so ordered.

John W. diZerega, Director, Department of Public Works, responded that these documents would be forwarded to her office as expeditiously as possible.

Supervisor Richards called the Board's attention to the Wiehle Avenue project. She stated that the project plat date had been revised to incorporate the land acquisition and review comments and that the final design date had been revised to incorporate the storm water management facilities. Because the storm water management facilities may require additional land acquisition, Supervisor Richards asked unanimous consent that the Board direct the staff from the Office of Transportation to report to her office on whether there is an impact on the cost of that section between Dranesville Road and the Fairfax County Parkway. Without objection, it was so ordered.

50. I-2 - BUS SERVICE REDUCTION/EXPANSION PUBLIC
HEARINGS IN FAIRFAX COUNTY: WASHINGTON
METROPOLITAN AREA TRANSIT AUTHORITY
(WMATA) PUBLIC HEARING DOCKET
NUMBER B91-7 (COUNTYWIDE) (TAPE 13)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 6, 1991 presenting the Road Bond announcing that the Washington Metropolitan Area Transit Authority (WMATA) will hold a series of three public hearings in Fairfax County to consider Countywide Metrobus and FAIRFAX CONNECTOR service reduction/expansion proposals previously approved for advertisement by the Board of Supervisors at its meeting of March 18, 1991.

The schedule for the public hearings, which will begin at 7:30 p.m., is as follows:

<u>METROBUS PUBLIC HEARING NUMBER</u>	<u>DATE</u>	<u>LOCATION</u>
345	Tuesday, June 4, 1991	George Mason Jr./Sr. High School 7124 Leesburg Pike Falls Church, VA
346	Wednesday, June 5, 1991	Edison High School 5801 Franconia Road Alexandria, VA
347	Thursday, June 13, 1991	Massey Building 4100 Chain Bridge Rd. Fairfax, VA

There was brief discussion regarding the coordination of Route 11Y.

51. I-3 - INVITATION TO VISIT COUNTY ARCHAEOLOGICAL
SITES (TAPE 13)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 6, 1991 inviting Board Members and their staff who would like to visit field excavation sites to contact:

Michael Johnson or Larry Moore
Staff Archaeologists
Heritage Resources Branch
Office of Comprehensive Planning
237-4881

52. I-4 - DONATION - ARTIFACTS FROM CHILES TRACT
EXCAVATIONS (PROVIDENCE DISTRICT) (TAPE 13)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 6, 1991 announcing that Daniel Koski-Karell, President of Karell Archaeological Services, has offered to donate to the County artifacts and field notes from scientific excavations his firm did on the Chiles tract between 1978 and 1981. The artifacts include prehistoric stone tools and pottery dating from between 500 and 5,000 years ago, and material from Camp Russell Alger, the late nineteenth century (1898) Spanish-American War training facility.

53. I-5 - STATUS REPORT ON THE FAIRFAX CITY
TANK FARM (TAPE 13)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 6, 1991 requesting authorization for staff to proceed to take the steps necessary to award an emergency contract in order to acquire independent review capability of the technical material generated by Star Enterprise with regard to the Fairfax City Tank Farm on behalf of the County.

The staff was directed administratively to proceed as proposed.

Supervisor Hanley stated that Fairfax County is moving as rapidly as possible to mitigate the damage and resolve this problem. She added that outside resources are needed to assist in this matter.

54. I-6 - 1991 MERITORIOUS PLANNING AWARD
(TAPE 13)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 6, 1991 announcing that the Virginia Chapter of the American Planning Association has recognized "The Fairfax Planning Horizons Policy Plan" as deserving of its 1991 Meritorious Professional Planning Project Award.

Vice-Chairman Pennino, on behalf of the Board, commended staff for receiving the 1991 Meritorious Professional Planning Award.

55. I-7 - FAIRFAX COUNTY PARK AUTHORITY 40TH
ANNIVERSARY CELEBRATION (COUNTYWIDE)
(TAPE 13)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 6, 1991 announcing that on June 1, 1991, the Fairfax County Park Authority (FCPA) will launch its Passport To Parks Program as part of the agency's 40th Anniversary celebration.

CM:CM

56. DEFERRAL OF PH ON REZONING APPLICATION RZ 85-C-108
(CYCLE ENTERPRISES) (CENTREVILLE DISTRICT)
(TAPE 14)

Vice-Chairman Pennino relinquished the Chair to Acting-Chairman Hyland and moved to defer the public hearing on Rezoning Application RZ 85-C-108 until July 1, 1991 at 3:30 p.m. This motion was seconded by Acting-Chairman Hyland and carried by a vote of five, Supervisor Bulova, Supervisor McConnell, and Chairman Moore being out of the room, Supervisor Alexander being absent.

57. 3:30 P.M. - BOARD DECISION ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE ROUTE 123 TO POHICK ROAD AND HOOES ROAD SEGMENT OF THE FAIRFAX COUNTY PARKWAY (SPRINGFIELD DISTRICT) (TAPE 14)

(NOTE: The public hearing on the proposed acquisition of certain land rights necessary for the construction of the Route 123 to Pohick Road and Hooes Road Segment of the Fairfax County Parkway was held on December 3, 1990 and Board decision deferred until January 14, 1991. Board decision was further deferred until May 6, 1991.)

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 November 9 and November 16, 1990.

Supervisor Pennino moved that the Board NOT authorize the acquisition of interests in real property necessary for the construction of the Route 123 to Pohick Road and Hooes Road segment of the Fairfax County Parkway until such time that funding has been identified. This motion was seconded by Supervisor Davis and carried by a vote of five, Supervisor Bulova, Supervisor McConnell, and Chairman Moore being out of the room, Supervisor Alexander being absent.

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

58. 3:30 P.M. - BOARD DECISION ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE ROUTE 7 TO DULLES TOLL ROAD SEGMENT OF THE FAIRFAX COUNTY PARKWAY (CENTREVILLE AND DRANESVILLE DISTRICTS AND THE TOWN OF HERNDON) (TAPE 14)

(NOTE: The public hearing on the acquisition of interests in real property necessary for the construction of the Route 7 to Dulles Toll Road segment of the Fairfax County Parkway was held on January 14, 1991 and decision deferred until May 6, 1991.)

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 December 28, 1990 and January 4, 1991.

Supervisor Richards moved that the Board NOT authorize the acquisition of the necessary property interests for the construction of the Route 7 to Baron Cameron Avenue section of the Route 7 to Dulles Toll Road Segment of the Fairfax County Parkway until such time that funding has

been identified BUT that staff report with information on what funds might still be available from the Wiehle Avenue money. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Bulova, Supervisor McConnell, and Chairman Moore being out of the room, Supervisor Alexander being absent.

59. 3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION
SE 91-V-001 (LONG SIGNATURE HOMES, INCORPORATED)
(MOUNT VERNON DISTRICT) (TAPE 14)

Vice-Chairman Pennino relinquished the Chair to Acting-Chairman Hyland and moved to defer the public hearing on Special Exception Application SE 91-V-001 until June 3, 1991 at 4:30 p.m. This motion was seconded by Supervisor Hanley and carried by a vote of five, Supervisor Bulova, Supervisor McConnell, and Chairman Moore being out of the room, Supervisor Alexander being absent.

ADDITIONAL BOARD MATTER

60. AUTHORIZATION TO READVERTISE PH ON ACQUISITION
OF CERTAIN EASEMENTS NECESSARY FOR THE
CONSTRUCTION OF COUNTY ROAD BOND PROJECT:
OLD KEENE MILL ROAD (LEE DISTRICT) (TAPE 14)

- (A) Supervisor Pennino announced that on April 29, 1991, a public hearing was held on the proposed acquisition of certain easements necessary for construction of Project 064136 - Old Keene Mill Road, Lee District; however, due to an administrative error, the affected property owners were not notified of the hearing.

Accordingly, Supervisor Pennino moved that the Board authorize staff to readvertise the public hearing to be held before the Board of Supervisors on June 3, 1991 at 4:30 p.m. on the proposed acquisition of certain easements necessary for construction of Project 064136 - Old Keene Mill Road, Lee District. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Bulova, Supervisor McConnell, and Chairman Moore being out of the room, Supervisor Alexander being absent.

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

61. BOARD ADJOURNMENT (TAPE 14)

At 3:40 p.m., the Board adjourned.