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The meeting was called to order at 9:50 a.m. with all Members being present, with the exception of Supervisor Alexander, and with Chairman Davis presiding.

Supervisor Alexander was absent from the entire meeting.

Others present were Richard A. King, Acting County Executive; Robert L. Howell, Acting 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.PROCLAMATION DESIGNATING "EARTH CARING

MONTHS" IN FAIRFAX COUNTY (Tape 1)

Supervisor Hyland moved approval of the presentation of the Proclamation designating April and May 1992 as "EARTH CARING MONTHS" in Fairfax County, and encouraging all citizens to participate in the County's recycling and conservation efforts to further the goals of the environmental preservation set forth by Earth Day. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Hyland further moved that the Board:

- Recognize Fairfax Releaf, Incorporated as the County's official organization which involves itself in the replanting of trees; and
- Designate Fairfax Releaf, Incorporated as the official organization for Arbor Day, 1993.

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

3.PRESENTATION OF "YOUNG WOMEN WE ADMIRE

AWARDS" BY BLACK WOMEN UNITED FOR ACTION

(Tape 1)

Ms. Virginia Williams of Black Women United for Action presented "Young Women We Admire Awards" to eight young women and recognized them for their academic achievements and their community service. Recipients were: Karen Parsons, Kia Williams, Tahirah Tucker, Krista McDonald, Tanya Dallas, Angela Jones, Dawn Cobb, and Marcelle Christian.

4.ABSENCE OF LEE DISTRICT SUPERVISOR ALEXANDER

(Tape 1)

Chairman Davis announced that Lee District Supervisor Joseph Alexander would be absent from the entire meeting due to a previous engagement.

5.PRESENTATION BY MR. JIM MORRIS REGARDING

ACTION ITEM A-4 - AUTHORIZATION FOR

CONDEMNATION OF CERTAIN PARCELS OF LAND

NEEDED FOR THE CONSTRUCTION OF THE

CENTREVILLE COMMUTER PARK-AND-RIDE LOT

(Tape 1)

Mr. Jim Morris, a resident of Fox Mill Road in Herndon, Virginia presented to the Board his views regarding the condemnation of certain parcels of land needed for the construction of the Centreville Commuter Park-and-Ride lot.

(NOTE: Later in the meeting, action was taken on this issue. See Clerk's Summary Item CL#12.)

6.10:00 A.M. - APPOINTMENTS TO CITIZEN BOARDS,

AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS

(Tape 2)

(APPT)

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

Supervisor Berger moved the appointment of Mr. Don Kane as the Dranesville District Representative to the A. Heath Onthank Memorial Award Selection Committee. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

(NOTE: The appointment of the Sully District Representative to the A. Heath Onthank Memorial Award Selection Committee was deferred.)

ADVISORY SOCIAL SERVICES BOARD

(NOTE: The appointment of the Providence District Representative to the Advisory Social Services Board was deferred.)

AFFORDABLE DWELLING UNIT ADVISORY BOARD

[NOTE: The appointment of the At-Large (Lending Institution) Representative to the Affordable Dwelling Unit Advisory Board was deferred.]

ATHLETIC COUNCIL

Supervisor Berger moved the appointment of Ms. Doris Ledbetter as the Dranesville District (Principal) Representative to the Athletic Council. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Dix moved the appointment of Mr. Donald Koval to fill the unexpired term of Mr. Lewis Robeson as the Town of Vienna (Principal) Representative to the Athletic Council. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Dix asked unanimous consent that the Board direct staff to invite Mr. Robeson to come before the Board to receive recognition for his years of service on the Athletic Council. Without objection, it was so ordered.

[NOTE: The appointments of the Providence District (Principal and Alternate) Representatives to the Athletic Council were deferred.]

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS

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

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to contact the Northern Virginia Building and Industry Association (NVBIA) to obtain the name of an individual who would be interested in serving as an At-Large (Builder) Representative on the Board of Equalization of Real Estate Assessments. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

BOARD OF BUILDING CODE APPEALS - TECHNICAL DIVISION

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

COMMUNITY IMPROVEMENT COMMITTEE

Supervisor Trapnell moved the appointment of Mr. Thomas Mauter as the Fairdale Community Representative to the Community Improvement Committee for a term to expire upon project completion. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

(NOTE: The appointments of the Braddock, Springfield, and Mount Vernon District Representatives to the Community Improvement Committee were deferred.)

COUNTYWIDE TRAILS COMMITTEE

(NOTE: The appointment of the Springfield District Representative to the Countywide Trails Committee was deferred.)

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

(NOTE: The appointment of the Sully District Representative to the Environmental Quality Advisory Council was deferred.)

EROSION AND SEDIMENT CONTROL REVIEW BOARD

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the appointment of the At-Large (Citizen/Resident of Fairfax County/Principal) and the At-Large (Citizen/Resident of Fairfax County/Alternate) Representatives to the Erosion and Sediment Control Review Board be deferred until the end of April, 1992. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

FAIRFAX/FALLS CHURCH COMMUNITY SERVICES BOARD

(NOTE: The appointment of the At-Large Representative to the Fairfax/Falls Church Community Services Board was deferred.)

HEALTH CARE ADVISORY BOARD

(NOTE: The appointment of the Centreville District Representative to the Health Care Advisory Board was deferred.)

HUMAN SERVICES COUNCIL

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

INDUSTRIAL DEVELOPMENT AUTHORITY

(NOTE: The appointment of the At-Large Representative to the Industrial Development Authority was deferred.)

PLUMBING ADVISORY AND LICENSING BOARD

[NOTE: The appointment of the At-Large (Class A Plumbing Contractor) Representative to the Plumbing Advisory and Licensing Board was deferred.]

PROJECT SELECTION COMMITTEE

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

ROAD VIEWERS BOARD

(NOTE: The appointment of the At-Large Representative to the Road Viewers Board was deferred.)

TREE COMMISSION

(NOTE: The appointment of the Springfield District Representative to the Tree Commission was deferred.)

AD-HOCS

FORESTED WETLANDS COMMITTEE

(NOTE: The appointments of the Springfield and the Providence District Representatives to the Forested Wetlands Committee were deferred.)

UPPER HOLMES RUN ENVIRONMENTAL MONITORING ADVISORY COMMITTEE

Supervisor Hanley moved the reappointment of Mr. David Sayre as the Holmes Run Acres Civic Association Representative to the Upper Holmes Run Environmental Monitoring Advisory Committee. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Hanley moved the reappointment of Mr. William Herbert as the Holmes Run Woods Crossing Civic Association Representative to the Upper Holmes Run Environmental Monitoring Advisory Committee. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Hanley moved the reappointment of Mr. Leon Maca as the Pine Springs Civic Association Representative to the Upper Holmes Run Environmental Monitoring Advisory Committee. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Hanley moved the reappointment of Mr. George Chalou as the Raymondale Civic Association (Principal) Representative to the Upper Holmes Run Environmental Monitoring Advisory Committee. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

[NOTE: The appointments of the Mason District, the Dunn Loring Improvement Association, and the Raymondale Civic Association (Alternate) Representatives to the Upper Holmes Run Environmental Monitoring Advisory Committee were deferred.]

TYSONS CORNER TASK FORCE

Supervisor Dix moved the appointment of Mr. Robert M. Ross as the Centreville District Representative to the Tysons Corner Task Force. The second to this motion was inaudible. The question was called on the motion which carried by a vote of nine, Supervisor Alexander being absent.

APPOINTMENT TO THE COMMISSION ON AGING

Supervisor Frey moved the appointment of Mr. S. Christopher Suprun, Jr. as the Sully District Representative to the Commission on Aging. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

SBE:sbe

7.ADMINISTRATIVE ITEMS (Tape 3)

Supervisor Hyland moved approval of the Administrative Items. The second to this motion was inaudible.

Chairman Davis called the Board's attention to Administrative Item Six - Additional Time to Commence Construction for Special Exception Application SE 89-S-055 (Star Enterprise) (Springfield District). Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that this item be deferred until after Executive Session today, and this was accepted.

(NOTE: Later in the meeting, action was taken to approve the additional time for Special Exception Application SE 89-S-055. See Clerk's Summary Item CL#67.)

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Hanley called the Board's attention to Administrative Item 11 - Authorization to Advertise a Public Hearing Regarding the Dedication of County-Owned Property to the Virginia Department of Transportation (VDOT) for Road Improvements-Dixie Drive (Providence District). She asked unanimous consent that this item be pulled and considered separately, and this was accepted.

(NOTE: Later in the meeting, action was taken to authorize the public hearing. See Clerk's Summary Item CL#8.)

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

ADMIN 1 - DISCONTINUANCE OF MAINTENANCE AND

ACCEPTANCE OF A REALIGNED PORTION OF STUART

MILL ROAD (ROUTE 669) (CENTREVILLE DISTRICT)

(Rs)Adopted the following Resolutions approving the Virginia Department of Transportation's (VDOT) request to:

- Concur with the discontinuance of maintenance on a portion of Stuart Mill Road; and
- Concur with the acceptance of the realigned portion of Stuart Mill Road into the VDOT Secondary System of Highways.

**ADMIN 2 - ADDITIONAL TIME TO ESTABLISH
THE USE FOR SPECIAL EXCEPTION APPLICATION**

**SE 89-A-071 (BOURJ, LIMITED) (BRADDOCK
DISTRICT)**

(AT)Approved the request for two years of additional time to establish the use for Special Exception Application SE 89-A-071 until **March 17, 1994** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 3 - ADDITIONAL TIME TO COMMENCE
CONSTRUCTION FOR SPECIAL EXCEPTION**

**APPLICATION SE 88-D-100 (FLEETWOOD
ASSOCIATES PARTNERSHIP C/O RANDOLPH
WILLIAMS, INCORPORATED) (DRANESVILLE
DISTRICT)**

(AT)Approved the request for 18 months of additional time to commence construction for Special Exception Application SE 88-D-100 until **September 31, 1993** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 4 - ADDITIONAL TIME TO COMMENCE
CONSTRUCTION FOR SPECIAL EXCEPTION**

**APPLICATION SE 86-L-019 (HECOX,
INCORPORATED) (LEE DISTRICT)**

(AT)Approved the request for 18 months of additional time to commence construction for Special Exception Application SE 86-L-019 until **October 30, 1993** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 5 - ADDITIONAL TIME TO COMMENCE

CONSTRUCTION FOR SPECIAL EXCEPTION

AMENDMENT APPLICATION SEA 81-D-038-1

(HADID INVESTMENT GROUP, INCORPORATED)

(PROVIDENCE DISTRICT)

(AT)Approved the request for 12 months of additional time to commence construction for Special Exception Amendment Application SEA 81-D-038-1 until **May 25, 1993** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 6 - ADDITIONAL TIME TO COMMENCE

CONSTRUCTION FOR SPECIAL EXCEPTION

APPLICATION SE 89-S-055 (STAR ENTERPRISE)

(SPRINGFIELD DISTRICT)

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#67.)

ADMIN 7 - AUTHORIZATION TO ADVERTISE FOR A

PUBLIC HEARING ON AUTHORIZING ASSESSMENTS IN

BROOKLAND-BUSH HILL, PHASE II (LEE DISTRICT)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **April 27, 1992 at 3:30 p.m.** authorizing the assessments and ordering improvements for streets in the Brookland-Bush Hill Community, Phase II, Lee District.

ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC

HEARING ON A PROPOSAL TO VACATE A PORTION OF

ROSS STREET (ROUTE 1448) (MOUNT VERNON DISTRICT)

(A)Authorized the posting of the notice of intent to vacate and advertisement of a public hearing to be held before the Board of Supervisors on **June 8, 1992 at 3:30 p.m.** regarding the proposed vacation of a portion of Ross Street (Route 1448), Mount Vernon District.

ADMIN 9 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE A PORTION OF CASEMONT DRIVE (ROUTE 2308) (DRANESVILLE DISTRICT)

(A)Authorized the posting of the notice of intent to vacate and advertisement of a public hearing to be held before the Board of Supervisors on **June 8, 1992 at 3:30 p.m.** regarding the proposed vacation of a portion of Casemont Drive (Route 2308), Dranesville District.

ADMIN 10 - AUTHORIZATION TO ADVERTISE A PROPOSED PROHIBITION OF THROUGH TRUCK TRAFFIC ON MAPLE BRANCH ROAD (ROUTE 646) (SPRINGFIELD DISTRICT)

(A)Authorized the posting of the notice of intent and advertisement of a public hearing to be held before the Board of Supervisors on **May 18, 1992 at 3:30 p.m.** regarding the prohibition of through truck traffic on Maple Branch Road (Route 646) between Henderson Road (Route 612) and Clifton Road (Route 645) and to formally request the Virginia Department of Transportation (VDOT) to restrict through truck traffic on Maple Branch Road.

ADMIN 11 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE DEDICATION OF COUNTY-OWNED PROPERTY TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR ROAD IMPROVEMENTS- DIXIE DRIVE (PROVIDENCE DISTRICT)

(NOTE: Later in the meeting action was taken on this item. See Clerk's Summary item CL#8.)

ADMIN 12 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE DEDICATION OF COUNTY-OWNED PROPERTY TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR ROAD IMPROVEMENTS- BURKE LAKE ROAD (SPRINGFIELD DISTRICT)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **May 4, 1992 at 4:00 p.m.** regarding the proposed dedication of a portion of County-owned property, Tax Map Number 78-1 ((19)) A, Springfield District, to the Virginia Department of Transportation (VDOT), and directed staff to notify adjacent landowners of the public hearing by certified mail.

ADMIN 13 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE A PORTION OF FAIRWOOD ESTATES SUBDIVISION (SULLY DISTRICT)

(A)Authorized the posting of the notice of intent to vacate and advertisement of a public hearing to be held before the Board of Supervisors on **April 27, 1992 at 4:00 p.m.** regarding the proposed vacation of a portion of Fairwood Estates Subdivision necessary for the construction of Project 0080051-Criminal Justice Site Collocation, Sully District.

ADMIN 14 - STREETS INTO THE SECONDARY SYSTEM (CENTREVILLE, SPRINGFIELD, AND SULLY DISTRICTS)

(R)Approved the request that certain streets listed in the Memorandum to the Board dated April 6, 1992 be recommended for acceptance into the State Secondary System.

8. ADMIN 11 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE DEDICATION OF COUNTY-OWNED PROPERTY TO THE VIRGINIA DEPARTMENT OF

**TRANSPORTATION (VDOT) FOR ROAD IMPROVEMENTS-
DIXIE DRIVE (PROVIDENCE DISTRICT)**

(A)Following discussion, with input from staff, Supervisor Hanley moved that the Board:

- Authorize the advertisement of a public hearing to be held before the Board of Supervisors on **May 4, 1992 at 4:00 p.m.** regarding the proposed dedication of County-owned property, Tax Map Number 48-4 ((1)), Dixie Drive, Providence District, to the Virginia Department of Transportation (VDOT), and direct staff to notify adjacent landowners of the public hearing by certified mail; and
- Direct staff to report with recommendations for the vacation and/or abandonment of the portion of Dixie Drive remaining.

This motion was seconded by Supervisor Hyland and carried by vote of nine, Supervisor Alexander being absent.

**9. A-1 - FAIRFAX COUNTY AND WASHINGTON METROPOLITAN
AREA TRANSIT AUTHORITY (WMATA) LOCAL FUNDING
AGREEMENT FOR THE METRORAIL CONSTRUCTION PROGRAM
(COUNTYWIDE) (Tape 3)**

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

- Approve the general form of the County's Local Funding Agreement (LFA), contained as Attachment One in the Memorandum to the Board dated April 6, 1992, with the Washington Metropolitan Area Transit Authority (WMATA), to provide County local match of \$123.2 million for the Metrorail Construction Program; and
- Authorize the Chairman of the Board of Supervisors to execute the finalized version of the LFA. (Key provisions of the County's LFA are contained in the Memorandum to the Board.)

The second to this motion was inaudible.

Following discussion, with input from Shiva K. Pant, Director, Office of Transportation, and Ellen Posner, Assistant County Attorney, the question was called

on the motion which carried by a vote of seven, Supervisor Bulova and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

**10. A-2 - ADVANCE CONTRIBUTION TO THE WASHINGTON
METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) TO
FRANCONIA-SPRINGFIELD METRORAIL LAND ACQUISITION
(COUNTYWIDE) (Tape 3)**

On motion of Supervisor Hanley, seconded by Supervisor Hyland, and carried by a vote of eight, Supervisor Trapnell being out of the room, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and:

1(a).Approved a Fairfax County advance contribution to the Metrorail Construction Program, in the amount up to \$6.7 million, for necessary land acquisition for the Franconia-Springfield Metrorail Station and Metrorail Line Segment [The Washington Metropolitan Area Transit Authority's (WMATA) letter requesting the advance in contained in Attachment One of the Memorandum to the Board dated April 6, 1992];

(b).Authorized the Acting County Executive to make this advance payment to WMATA only after an amended Credit Agreement has been executed between the County and WMATA which provides for County advances to be credited against future Fairfax County Metrorail Construction Program contributions;

2(a).Approved the general form of the Franconia-Springfield amended Credit Agreement (contained as Attachment Two) which contains the following key provisions:

- Fairfax County is permitted to pay for a project in advance in order to maintain the "Fast-Track" schedule for construction of that project;

- Any funds advanced by the County will be applied as County payments for WMATA's next Metrorail Construction billings to the County after Federal appropriations are available to WMATA;

(b).Authorized the Acting County Executive to execute the finalized form of the Franconia-Springfield Credit Agreement, as amended; and

3.Directed staff to convey the Board's action to WMATA.

11. A-3 - WASHINGTON METROPOLITAN AREA TRANSIT**AUTHORITY (WMATA) BOARD BUDGET COMMITTEE'S****RECOMMENDED FISCAL YEAR (FY) 1993 BUDGET****(COUNTYWIDE) (Tape 3)**

Shiva K. Pant, Director, Office of Transportation, called the Board's attention to Page 37 of the Memorandum to the Board. He stated that there is still some uncertainty regarding the amount of State aid which will be given to Fairfax County through the Northern Virginia Transportation Commission (NVTC), and that it would depend on what happens to the Trust Fund revenues.

In response to a query from Chairman Davis, Mr. Pant responded that the final numbers will be available sometime after July 1992.

Supervisor Hanley moved that the Board concur in the recommendation of staff and endorse the following comments regarding the Washington Metropolitan Area Transit Authority's (WMATA) Fiscal Year (FY) 1993 Operating Budget and direct staff to promptly transmit these comments to WMATA:

•**Bus Service Adjustments** - Support the WMATA Board Budget Committee's recommendation and request that the FY 1993 Metrobus budget be adjusted to fully reflect all WMATA Board approved bus service adjustments, including the March 12, 1992 Board approvals impacting Fairfax County. The financial impacts of these bus service adjustments must be incorporated into the final approved "Summary of State/Local Operating Requirements" provided as Table A in the Board Budget Committee Report;

•**Rail Service Adjustments** - Support the Committee's recommendation to adjust Green Line service to two-car trains during the late evening and Sundays consistent with the present two-car train operation on the Blue and Yellow Lines. Request that WMATA staff monitor passenger loads on Sunday Blue Line services in order to adequately satisfy passenger demand;

•**Organizational Efficiencies** - Support the reduction of 215 positions from the approved FY 1992 staffing level of 9,013. (During FY 1992, WMATA has eliminated 108 positions of which 68 percent have been accomplished by laying off employees.) Encourage WMATA to continue to pursue staff efficiencies;

- **Fare Increase** - Support implementation of second phase of two phase fare increase which results in a six percent average fare increase on Metrobus and Metrorail for FY 1993; and
- **Americans with Disabilities Act** - Support the inclusion of costs related to complying with the Americans with Disabilities Act of 1990 and endorse the proposed cost allocation formula.

This motion was seconded by Supervisor Hyland.

Following further discussion, the question was called on the motion which carried by a vote of seven, Supervisor Dix and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

**12. A-4 - AUTHORIZATION FOR CONDEMNATION OF CERTAIN
PARCELS OF LAND NEEDED FOR THE CONSTRUCTION OF
THE CENTREVILLE COMMUTER PARK-AND-RIDE LOT**

(SULLY DISTRICT) (Tape 3)

(R)(NOTE: Earlier in the meeting, Mr. Jim Morris a resident of Fox Mill Road in Herndon, Virginia presented to the Board his views regarding the condemnation of certain parcels of land needed for the construction of the Centreville Commuter Park-and-Ride lot. See Clerk's Summary Item CL#5.)

Following discussion, with input from A. R. Thompson, Director, Land Acquisition Division, Department of Public Works, and Shiva K. Pant, Director, Office of Transportation, Supervisor Frey moved that the Board:

- Concur in the recommendation of staff and adopt a Resolution instituting the necessary legal proceedings to acquire four parcels, comprised of approximately 3.5804 acres, in fee for Project 88A005 - Centreville Commuter Park and Ride Lot by the process of eminent domain, Sully District; and
- Direct the staff to continue to negotiate with Mr. Morris and the other property owners.

This motion was seconded by Supervisor Bulova.

Supervisor Dix asked that the motion be amended to direct staff to forward to Board Members additional information regarding the value that is used for tax purposes on this property, and this was accepted.

Following comments by Mr. Morris, further discussion ensued, with input from Robert L. Howell, Acting County Attorney, the question was called on the motion, and as amended, **CARRIED** by a recorded vote of eight, Supervisor McConnell abstaining, Supervisor Alexander being absent.

13. A-5 - STAFF RECOMMENDATIONS CONCERNING FAIRFAX

CONNECTOR BUS SERVICE REDUCTIONS AND FARE

ADJUSTMENTS (LEE, MOUNT VERNON, SPRINGFIELD

DISTRICTS) (Tape 3)

On motion of Supervisor Hanley, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved the FAIRFAX CONNECTOR bus service reductions and fare adjustments specified in Attachment A of the Memorandum to the Board dated April 6, 1992. The recommended services reductions would eliminate 20 of the 543 daily bus trips (3.7 percent) and it is estimated that 40 daily riders would be lost as a result of the service reductions.

14. A-6 - APPROVAL OF A REVISED SERVICE AGREEMENT

BETWEEN THE COUNTY AND THE FAIRFAX HOSPITAL

SYSTEM (FHS) (Tape 3)

Following discussion, with input from Robert L. Howell, Acting County Attorney, Supervisor Hyland asked unanimous consent that the Board defer action on revised service agreement between the County and the Fairfax Hospital System (FHS) until later in the meeting to allow additional time for the County Attorney's Office to respond to disclosure issues raised by Board Members. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken on this issue. See Clerk's Summary Item CL#68.)

15. A-7 - ADOPTION OF FINAL COMMUNITY IMPROVEMENT

PROGRAM ASSESSMENTS FOR GROVETON PHASE III-B

(MEMORIAL STREET) (LEE DISTRICT) (Tape 3)

(Rs)On motion of Supervisor Hyland, seconded by Supervisor Bulova, and carried by a vote of eight, Supervisor Frey being out of the room and Supervisor Alexander being absent, the Board concurred in the recommendation of staff and adopted the Resolutions establishing the final amount to be assessed against each landowner in the Groveton Phase III-B Community Improvement Program Project (Memorial Street), Lee District.

16. A-8 - DESIGNATION OF PLANS EXAMINERS TO PARTICIPATE IN THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM (Tape 3)

(BACs)

On motion of Supervisor Bulova, seconded by Supervisor Berger, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and designated the following two individuals, identified by their registration number, as Plans Examiners to participate in the Expedited Land Development Review Program:

- Emeka R. Nwosu (89); and
- Steven C. Thompson (88).

ADDITIONAL BOARD MATTER

17.RECOGNITION OF CHAIRMAN DAVIS' SON, CARLTON, IN BOARD ROOM (Tape 3)

Chairman Davis recognized the presence in the Board Room of his oldest son, Carlton, and warmly welcomed him.

18. A-9 - OFFICE FOR CHILDREN APPLICATION FOR IBM FAMILY DEPENDENT CARE INITIATIVE GRANT FOR THE EMPLOYER CHILD CARE COUNCIL QUALITY

CHILD CARE INITIATIVE (Tape 3)

On motion of Supervisor Hanley, seconded by Supervisor Hyland, and carried by a vote of eight, Supervisor Frey being out of the room and Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved the submission of an application by the Office for Children (OFC) to apply for an IBM Family Dependent Child Care Initiative grant, in the amount of \$22,000 in Fiscal Year (FY) 1992, to make the Employer Child Care Council Quality Child Care Initiative available to 30 family day care providers.

19. A-10 - APPLICATION TO THE STATE COUNCIL ON

LOCAL DEBT TO ISSUE ADVANCE REFUNDING BONDS

(Tape 3)

(R)On motion of Supervisor McConnell, seconded by Supervisor Berger, and carried by a vote of eight, Supervisor Frey being out of the room and Supervisor Alexander being absent, the Board concurred in the recommendation of staff and adopted a Resolution making the application to the State Council on Local Debt to permit the County to issue Advance Refunding Bonds for the purpose of reducing debt service.

20. A-11 - STAFF RECOMMENDATION CONCERNING THE

RESTON INTERNAL BUS SYSTEM (RIBS) SERVICE

AND FARE CHANGES (CENTREVILLE DISTRICT)

(Tape 3)

Supervisor Dix moved that the Board concur in the recommendation of staff and approve the Reston Internal Bus System (RIBS):

A.Service changes as contained in the Memorandum to the Board dated April 6, 1992:

1. Retain service on RIBS Routes 1,2, and 3, including the last trip leaving Reston Town Center at 6:10 p.m.; and
2. Decrease the frequency of service on the Reston Midday Express from a bus every 40 minutes to a bus every 80 minutes by discontinuing 10 of 21 daily trips.

B.Fare increases as contained in the Memorandum to the Board dated April 6, 1992:

1. Increase the regular cash fare on the Reston Midday Express from \$.50 to \$.75; and
2. Select one of the following fare options for the regular cash fare on RIBS Routes 1, 2, and 3:

Option A: Retain the existing \$0.25 fare. This will require \$9,550 of funding above the level proposed in the Fiscal Year (FY) 1993 Advertised Budget.

This motion was seconded by Chairman Davis, with the clarification that this action will also be included in the final budget deliberations and will have to be reconfirmed at that point.

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

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21. C-1 - OPERATION OF THE REFUSE COLLECTION

PARKOUT PROGRAM - FISCAL YEAR (FY) 1993

(COUNTYWIDE) (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated April 6, 1992 requesting the Board's consideration regarding the operation of the Refuse Collection Parkout Program during Fiscal Year (FY 1993).

Supervisor Berger moved Board adoption of the proposal for the operation of the Refuse Collection Parkout Program during Fiscal Year (FY) 1993 as outlined in the Memorandum to the Board dated April 6, 1992. This motion was seconded by Supervisor McConnell.

Following discussion, with input from John W. diZerega, Director, Department of Public Works, and David L. Eger, Director, Solid Waste Collection and Recycling Division, Supervisor Frey moved a substitute motion that the Board eliminate the Refuse Collection Parkout Program at the beginning of FY 1993. This motion was seconded by Supervisor Hyland.

Following further discussion, the question was called on the substitute motion which **FAILED** by a recorded vote of five, Supervisor Bulova, Supervisor Frey, Supervisor Hanley, and Supervisor Hyland voting "AYE," Supervisor Alexander being absent.

Supervisor Hyland moved to amend the motion (Supervisor Berger's) to require:

- The placement of recycling bins at each parkout site; and
- That the costs of having these bins be passed on to the users of the parkouts.

This motion was seconded by Supervisor Hanley.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved a substitute, to Supervisor Hyland's amendment, to require that the costs for the recycling bins at the parkout sites be addressed at the upcoming FY 1993 Budget Hearings as part of the General Fund subsidy. This motion was seconded by Vice-Chairman McConnell.

Following further input from Mr. diZerega, Supervisor Davis expanded his substitute amendment to include the stipulation that the recycling bins at all parkout sites will be additional drop-off sites, for use by all County residents, to be paid for by monies from Recycling Enterprise Fund 174, and this was accepted as part of the main motion (Supervisor Berger's).

Supervisor Frey asked that the motion be further amended to include a direction that staff look into the possibility, after discussions with the Volunteer Fire Department in Centreville, that a Recycling Center could be established at that site, and this was accepted.

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

22. C-2 - COMPENSATION FOR EMPLOYEES ADVISORY

COUNCIL REPRESENTATION AT CIVIL SERVICE

COMMISSION HEARINGS (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated April 6, 1992 requesting the Board's consideration of compensation for Employees Advisory Council (EAC) representation of grievants at Civil Service Commission (CSC) hearings.

Following discussion, with input from Paul L. Baldino, Acting Personnel Director, Supervisor Trapnell moved that the Board approve the compensation for Employees Advisory Council (EAC) representation of grievants at Civil Service Commission (CSC) Hearings. This motion was seconded by Chairman Davis with the stipulation that bi-monthly reports will be provided to the Board of Supervisors in order that this compensation may be monitored.

After additional discussion, the question was called on the motion which **CARRIED** by a recorded vote of six, with Supervisor Dix and Supervisor McConnell abstaining, and Supervisor Berger voting "NAY."

23. C-3 - REVIEW OF DEVELOPMENT PLANS BY THE ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC) (DRANESVILLE, MOUNT VERNON AND LEE DISTRICTS) (Tape 4)

(BACs)

The Board next considered an Item contained in the Memorandum to the Board dated April 6, 1992 requesting the Board's consideration of the Environmental Quality Advisory Council's (EQAC) request to relieve EQAC of its responsibility of reviewing Site and Subdivision Plans of development projects located within three miles of the Potomac River.

Supervisor Berger moved that the Board adopt Option One (first bullet) of the Memorandum to the Board dated April 6, 1992, as follows:

- Termination of the review of development plans by the Environmental Quality Advisory Council (EQAC), including reviews of plans by the Northern Virginia Soil and Water Conservation District (NVSWCD).

This motion was seconded by Supervisor McConnell.

Supervisor Hyland moved a substitute motion that the Board adopt Option Two (second bullet) as follows:

- EQAC can be relieved of its development review responsibilities, with the continuation of reviews by the NVSWCD. Under this option, the NVSWCD

comments could continue to be transmitted to applicants, the Chairman of the Board, the Chairman of the Planning Commission, and appropriate district supervisors; and

- Notification to the Mount Vernon District EQAC representative of any development plans in that District.

This motion was seconded by Supervisor Bulova.

Following discussion, with input from Robert J. Doyle, Director, Department of Extension and Continuing Education, and Bruce G. Douglas, Chief, Environmental and Heritage Resources Branch, Office of Comprehensive Planning, Supervisor Hyland moved to amend his motion to include the review of all development plans, public and private, by the NVSWCD, and that EQAC not be required to review those plans as well. This motion was seconded by Supervisor Bulova.

After further discussion, with input from Irving Birmingham, Director, Department of Environmental Management, Supervisor Dix moved a substitute to the substitute motion that:

- EQAC be relieved of its development review responsibilities; and
- The NVSWCD is formally relieved of its responsibilities for reviewing private plans effective immediately.

This motion was seconded by Supervisor McConnell.

Chairman Davis clarified that Supervisor Dix's motion is essentially the same as that of Supervisor Berger (Option One).

Supervisor Dix stated that his motion formally deals with the issue of the Soil and Water Conservation District because the Board has received conflicting information on this issue, and that the NVSWCD will continue to review public plans.

Supervisor Bulova asked that the motion be amended to provide EQAC and NVSWCD with proposed development plans in order that they may comment if they so choose, but they are not part of the approval process, and this was accepted.

The question was called on the motion, Supervisor Dix's second substitute, as amended, which **CARRIED** by a recorded vote of seven, Supervisor Hyland voting "NAY," Supervisor Frey being out of the room, Supervisor Alexander being absent.

The question was then called on the main motion, as substituted, which **CARRIED** by a recorded vote of seven, Supervisor Hyland voting "NAY," Supervisor Frey being out of the room, Supervisor Alexander being absent.

24. I-1 - AMENDMENT TO THE RESIDENTIAL PERMIT

PARKING DISTRICT (RPPD) ORDINANCE TO ALLOW

MORE THAN ONE VISITOR PASS PER RESIDENCE

(COUNTYWIDE) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 6, 1992 responding to the Board's request of February 24, 1992 for staff to review the Residential Permit Parking District (RPPD) Ordinance to determine whether specific language could be incorporated to allow more than one visitor pass per residence and to determine whether this provision could be on a site specific basis. Staff recommends that the provisions remain the same and only one visitor pass per residence should be issued.

The staff was directed administratively to proceed as proposed.

25. I-2 - TRAFFIC ACCIDENT ANALYSIS CAPABILITY

(COUNTYWIDE) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 6, 1992 presenting the Traffic Accident Analysis Capability.

26. I-3 - STATUS REPORT - TELEPHONE BOOK

RECYCLING PROGRAM (COUNTYWIDE) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 6, 1992 presenting the status report on the Telephone Book Recycling Program.

Supervisor Dix asked unanimous consent that the Board direct staff to include the Northern Virginia Planning District Commission (NVPDC) in the list of agencies contributing to the cooperative effort shown in Paragraph Three of the Memorandum to the Board dated April 6, 1992. Without objection, it was so ordered.

**27. I-4 - ADDITION OF WASTE SHREDDER AT THE I-95
ENERGY/RESOURCE RECOVERY FACILITY (MOUNT
VERNON DISTRICT) (Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated April 6, 1992 requesting authorization for staff to implement the addition of a waste shredder at the I-95 Energy/Resource Recovery Facility, Mount Vernon District.

The staff was directed administratively to proceed as proposed.

**28. I-5 - SUBMISSION OF THE HOME PROGRAM
DESCRIPTION TO THE UNITED STATES (U.S.)
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
(Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated April 6, 1992 presenting the submission of the HOME Program Description to the United States (U.S.) Department of Housing and Urban Development.

**29. I-6 - CONTRACT AWARD - I-66 LANDFILL STORM
DRAINAGE DOWNCHUTES (SULLY DISTRICT) (Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated April 6, 1992 requesting authorization for staff to award a contract to R.L. Rider and Company, in the amount of \$71,120, for the I-66 Landfill Storm Drainage Downchutes, Sully District.

The staff was directed administratively to proceed as proposed.

**30. I-7 - APPROVAL OF ARCHITECTURAL AND
ENGINEERING SERVICES CONTRACT FOR OLD
MILL ROAD GARDEN APARTMENTS (LEE DISTRICT)**

(Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 6, 1992 requesting authorization for the Fairfax County Redevelopment and Housing Authority (FCRHA) to execute a contract with Taylor Gavin Associates, Incorporated, in the amount of \$244,630, for architectural and engineering services for Old Mill Road Garden Apartments, Lee District, and directing staff to allocate the necessary funds as outlined in the Memorandum to the Board dated April 6, 1992.

Supervisor Hanley asked unanimous consent that the Board direct staff to provide information as expeditiously as possible regarding the reason for the lapse of time between the selection of the contractor on this project and the award of the actual contract. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

**31. I-8 - APPROVAL OF ARCHITECTURAL CONTRACT FOR
TAVENNER LANE, PROJECT VA 19-51 (LEE DISTRICT)**

(Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 6, 1992 requesting authorization for the Fairfax County Redevelopment and Housing Authority (FCRHA) to execute a contract with Intec Group, Incorporated, in the amount of \$204,356, for the architectural services for Tavenner Lane, Project VA 19-51, Lee District, and directing staff to allocate the necessary funds as outlined in the Memorandum to the Board dated April 6, 1992.

Supervisor Hanley asked unanimous consent that the Board direct staff to provide information as expeditiously as possible regarding the reason for the lapse of time between the selection of the contractor on this project and the award of the actual contract. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

**32. I-9 - CONTRACT AMENDMENT FOR ARCHITECTURAL
AND ENGINEERING SERVICES FOR THE BRADDOCK
COMMUNITY CENTER (SPRINGFIELD DISTRICT)**

(Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 6, 1992 requesting authorization for the Fairfax County Redevelopment and Housing Authority (FCRHA) to amend the contract with Turner Associates, P.C., in the amount of \$12,316, for architectural and engineering services for the Braddock Community Center, Springfield District.

The staff was directed administratively to proceed as proposed.

33. I-10 - CONTRACT AWARD - BROOKLAND/BUSH HILL

NEIGHBORHOOD IMPROVEMENTS PHASE I (LEE DISTRICT)

(Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 6, 1992 requesting authorization for staff to award a contract to Martin and Gass, Incorporated, in the amount of \$1,298,000, for the Brookland/Bush Hill Neighborhood Improvements Phase I, Lee District, and directing staff to allocate the necessary funds as outlined in the Memorandum to the Board dated April 6, 1992.

The staff was directed administratively to proceed as proposed.

34.I-11 - AWARD OF CONTRACT - EXECUTIVE SEARCH SERVICES

(Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 6, 1992 requesting authorization for staff to award a contract to Norman Roberts and Associates, Incorporated, in the amount of \$24,000, to provide recruitment, screening, background/reference appraisal, and assistance in the final selection process for candidates for the position of County Executive for Fairfax County.

The staff was directed administratively to proceed as proposed.

VLL:vll

35.DISCUSSION REGARDING GOVERNOR L. DOUGLAS WILDER'S

SUBSTITUTE BILL FOR SENATE BILL SB524, STATEWIDE

TRANSPORTATION BOND BILL (Tape 5)

Chairman Davis stated that, during this past weekend, Governor L. Douglas Wilder announced his intent to submit a substitute bill for Senate Bill SB524, Statewide Transportation Bond Bill. The key features of the Governor's substitute are as follows:

- It reduces the amount of debt to be issued to \$192 million instead of the \$442.7 million authorized under SB524;
- It proposed \$185 million in projects to be financed as pay-as-you-go, which essentially means through the normal six-year plan process. SB524 had proposed \$218 million in such projects;
- It deletes the provision in SB524 which requires a two-cent increase in the gasoline tax to be voted on in a referendum this November; and
- Finally, and this is the provision that essentially nullifies SB524 for all practical purposes, the provision that "debt can be issued at the end of the next fiscal year and can be financed from existing revenues in a manner to be determined by amendments to the budget to be considered in the 1993 Session of the General Assembly if my substitute is adopted now."

Chairman Davis stated that the Governor also noted (to support his substitute) the new federal transportation legislation as well as the ongoing Senate Joint Resolution SJR188 study which will be reporting its recommendations on funding formula changes at the 1993 Session of the General Assembly.

In essence, Chairman Davis stated that the Governor's substitute places the County in the same position where it was approximately two months ago when there was no transportation bond bill. The type of projects in Northern Virginia cannot be financed through routine pay-as-you-go financing because the State continues to insist on working within the confines of the existing formula instead of aggressively implementing the ISTEA provisions. Further, deferring financing strategies to the 1993 Session means that everything will be negotiated as part of the SJR188 process, meanwhile, a critical year will have been lost in not implementing the ISTEA provisions.

Chairman Davis stated that the substitute also weakens this bond package in terms of being an Economic Recovery package since no projects can go to construction until after action by the 1993 Session.

Therefore, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board take the following actions:

- Authorize the Chairman to send a letter to the Governor reiterating Fairfax County's previous position that transportation bonds must be included in the package of issues being submitted to the voters in November 1992;
- Forward copies of the Chairman's letter to members of the County's Delegation, as well as to the Mayors and Chairs in this region and request them to send similar letters; and
- Schedule a meeting with Secretary John G. Milliken, Commonwealth of Virginia, Secretary of Transportation, expressing to him Fairfax County's concerns at the implications of this substitute legislation in the context of ISTEPA legislation and the SJR188 study.

This motion was seconded by Vice-Chairman McConnell and carried by a vote of nine, Supervisor Alexander being absent.

36. RESCHEDULING OF LISTED SPEAKERS FOR THE UPCOMING BUDGET HEARINGS (Tape 5)

Supervisor Davis stated that, because of the enormous number of speakers listed for the upcoming budget hearings, the Board is currently scheduled to hear speakers continuously on Saturday, April 11, 1992, from 9:00 a.m. until 6:00 a.m. on Sunday, April 12, 1992 with no interruptions or recesses scheduled.

In response to a query by Supervisor Dix, Supervisor Davis responded that currently there are over 800 speakers to present testimony at the upcoming budget hearings.

Vice-Chairman McConnell requested those groups who have numerous individuals speaking on the same subject to select three individuals to represent the group and to present testimony and the remainder of the group present in the Board Room to stand and be recognized as part of that testimony.

Supervisor Davis moved that the Board direct staff to notify those speakers scheduled to appear after midnight on Saturday and request that they reschedule to the following times:

- Friday, April 10, 1992, from 9:00 a.m. until 12:00 noon; and

•Friday, April 10, 1992, from 6:00 p.m. until 10:00 p.m.

(NOTE: The public hearing for Friday, April 10, 1992, was previously scheduled for 2:00 p.m. until 6:00 p.m. In accordance with the above-stated action, the public hearing on Friday will be from 9:00 a.m. until 12:00 noon and from 2:00 p.m. until 10:00 p.m.)

Supervisor Davis further moved that the Board direct staff to contact those speakers scheduled to appear after midnight this evening, Monday, April 6, 1992, and Tuesday, April 7, 1992, and request them to reschedule to the following time:

•Wednesday, April 8, 1992, from 5:00 p.m. until 7:30 p.m.

(NOTE: The public hearing for Wednesday, April 8, 1992, was previously scheduled to commence at 7:30 p.m. In accordance with the above-stated action, the public hearing on Wednesday will commence at 5:00 p.m.)

This motion was seconded by Vice-Chairman McConnell and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Alexander being absent.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

37.WAIVER OF FILING FEES REQUESTED FOR CAFFERTY

BREN MAR ASSOCIATES (MASON DISTRICT) (Tape 5)

Supervisor Trapnell stated that in January 1992, Cafferty Bren Mar Associates filed Proffered Condition Amendment Application PCA 86-L-056-2. The application is to increase the height of a building one story (10 feet). The applicant has paid all the required filing and application fees. Subsequently, alert staff discovered an unforeseen technicality. The applicant's request was found to be not consistent with the applicant's previously approved proffered conditions.

In order to resolve this technicality, the applicant must file an additional Special Exception Application. Because this was an unforeseen and out of the ordinary occurrence, Supervisor Trapnell moved that the Board waive the filing fee associated with the additional curative Special Exception Application. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Frey and Supervisor Hanley being out of the room, Supervisor Alexander being absent.

38.WAIVER OF FILING AND SITE PLAN FEES REQUESTED

FOR SLEEPY HOLLOW PRESCHOOL (MASON DISTRICT)**(Tape 5)**

Supervisor Trapnell called to the Board's attention the fact that Sleepy Hollow Preschool has been an important part of the Mason District community since 1972. Located in the Saint Alban's Episcopal Church, the preschool has operated with little or no change to staff, interior or exterior facilities, or enrollment.

Presently, the preschool renewal of the use permit has been approved by the Board of Zoning Appeals (BZA) with conditions. Three of these conditions concern screening and barrier requirements. The preschool must now seek an exemption from these conditions through a Special Permit Amendment Application.

Accordingly, Supervisor Trapnell moved that the Board waive the filing fee associated with the Special Permit Amendment Application and, if required, waiver of the Site Plan fee. She further moved that the Board recommend that the BZA look favorably on the application. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Frey and Supervisor Hanley being out of the room, Supervisor Alexander being absent.

39. TERMITES AT THE WOODROW WILSON LIBRARY**(MASON DISTRICT) (Tape 5)**

Supervisor Trapnell called to the Board's attention that there is a major infestation of termites at the Woodrow Wilson Library. She moved that the Board direct the Division of Facilities Management to take the necessary measures to preserve the County's capital investment and restore full use of this facility. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Frey and Supervisor Hanley being out of the room, Supervisor Alexander being absent.

40. REQUEST FOR ADDITIONAL TIME LATER IN THE**MEETING TO ADDRESS THE BAILEY'S CROSSROADS****REVITALIZATION CORPORATION MEMORANDUM OF****UNDERSTANDING (Tape 5)**

Supervisor Trapnell asked unanimous consent that the Board permit her additional time later in the meeting to address the third draft of a proposed Memorandum of

Understanding between the Board and the Bailey's Crossroads Revitalization Corporation. Without objection, it was so ordered.

(NOTE: This issue was **not** addressed later in the meeting.)

41.SUPERVISOR ROBERT B. DIX, JR., CENTREVILLE

DISTRICT, YIELDS BOARD MATTER TIME (Tape 5)

Supervisor Dix asked unanimous consent to yield his Board Matter time allotment to Supervisor McConnell in order to jointly present recommendations of the Economic Recovery Advisory Commission (ERAC). Without objection, it was so ordered.

42.ABSENCE OF SUPERVISOR MICHAEL FREY, SULLY

DISTRICT (Tape 5)

Chairman Davis announced, for the record, that Supervisor Frey had to leave today's meeting in order to attend the Transportation Planning Board meeting at the Metropolitan Washington Council of Governments (COG). He stated that Supervisor Frey would be returning later in the day.

43.MATTERS FROM THE ECONOMIC RECOVERY ADVISORY

COMMISSION (ERAC) (Tape 5)

(P)Supervisor McConnell distributed to Board Members copies of the recommendations from the Economic Recovery Advisory Commission (ERAC). She and Supervisor Dix jointly presented the following recommendations to the Board.

BUILDING AND DEVELOPMENT PROCESS:

Supervisor McConnell stated that one of the biggest drawbacks from businesses locating in Fairfax County was the length of time it takes to get through the County's system. She said that currently, under Supervisor Frey's leadership, the Board's Subcommittee on Building and Development Process began reviewing the Site Plan Process.

Supervisor McConnell said that the ERAC is requesting that the scope of the review expand beyond just the Department of Environmental Management (DEM) process to include the entire planning, zoning, and permitting process. She said that in doing so, the Subcommittee should look toward a system that accentuates simplicity, speed, and

the economy of the review and approval processes. A target of 90 days for the approval of Site Plans, building permits, operating permits, and related approvals should be used by the Subcommittee.

As well, the availability of affordable housing for its workforce is a determining factor in the locating of businesses. Along this line, the ERAC is recommending a policy be established for expedited review process for residential properties - for sale or for rent - for which the average costs will qualify families with incomes at or below 60 percent of the median family income level.

Supervisor McConnell pointed out that this is a large task for the Subcommittee but one which is essential for the future economic well being of Fairfax County. ERAC is hopeful that the Subcommittee will be able to review the system and make recommendations to the Board on the implementation of the changes as expeditiously as possible.

Accordingly, Supervisor McConnell moved that the Board direct the Subcommittee on Building and Development Process to expand its review to include all of the areas as outlined above. This motion was seconded by Supervisor Berger.

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

TRANSPORTATION IMPROVEMENTS FOR TRIANGULAR

AREA FORMED BY I-66, THE DULLES HIGHWAY,

AND ROUTE 28:

Supervisor Dix stated that the triangular area formed by I-66, the Dulles Highway, and Route 28 is the predominant area in which business will locate in Fairfax County in the next decade. Not only is land available for growth in the area but the Dulles International Airport is a drawing card for companies. In order to attract new businesses and then support them in the triangular area, an infrastructure must be in place.

Accordingly, Supervisor Dix moved that the Board direct the Office of Transportation to:

- Prepare a work plan which outlines all the transportation improvements which are planned in the triangular area as approved in the Comprehensive Plan;

- Provide the Board with a time line on when some of the improvements will be on line with current funding; and
- List potential funding sources next to the unfunded items so that the Board may proceed to secure funding.

This motion was seconded by Supervisor McConnell.

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

GOVERNMENT RELATIONS FIRM:

Supervisor McConnell stated that, in order to effectively influence legislation on Capitol Hill to the benefit of Fairfax County, the County should employ a full-time government relations firm to represent the County before Congress and the Administration. The firm would be an asset to the County in protecting federal installations located in the County, monitoring and influencing legislation, structuring federal regulations, and obtaining federal funds that will facilitate enhancement of the County's transportation and infrastructure system, affordable housing, and employment attraction and retention.

Accordingly, Supervisor McConnell moved that the Board direct staff to:

- Prepare an RFP (Request for Proposal) to allow the County to hire a government relations firm in a timely manner; and
- Provide an estimate to the Board on what should be budgeted the next fiscal year for this purpose.

This motion was seconded by Supervisor Dix.

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

PRIVATIZATION POLICY:

(P)Supervisor Dix moved that the Board adopt the following Policy on privatization:

- "It is the policy of the Board of Supervisors to privatize to the maximum extent possible any new functions and the functions presently performed internally by the County, and to establish an environment where public-private partnerships are

encouraged, thereby fostering the pragmatic, cost efficient provision of services to the consumers of Fairfax County."

Supervisor Dix stated that in implementing the policy, the County should not consider any new programs or expansion of existing programs without considering the provision of the service by the private sector. An analysis of why the service can or cannot be provided by the private sector should be provided before the County undertakes the new service or expansion. He added that in the implementation of this policy, the ERAC is willing to work with the Acting County Executive.

This motion was seconded by Supervisor Berger.

Following discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended, as follows:

"...is the policy of the Board of Supervisors to privatize **where cost effective and** to the maximum extent possible..."

This was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

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

PMH:pmh

44.CONTINUATION OF MATTERS FROM THE ECONOMIC

RECOVERY ADVISORY COMMISSION (ERAC) (Tape 6)

BUSINESS, PROFESSIONAL, AND OCCUPATIONAL LICENSE

(BPOL) TAX:

Supervisor McConnell said that, for many years, the Board has heard from the business community regarding the Business, Professional, and Occupational License (BPOL) Tax and its feelings that it is an unfair tax because it is based on gross receipts. She noted that according to the information provided to the Board from the Economic Development Authority (EDA) on companies which have either left the County or bypassed the County, the predominant reason was the BPOL tax or other tax policies.

Supervisor McConnell stated that due to these reasons, it is time for a comprehensive analysis of the business tax structure i.e., BPOL, personal property, utility, etcetera. She noted that at the Board of Supervisors meeting of March 23, 1992, Supervisor Berger offered the assistance of George Mason University (GMU) in conducting such an analysis. She said that the main focus should be on the BPOL tax including:

- The tax regressivity associated with BPOL;
- The current excessive and outdated classifications;
- The minimum threshold for assessment;
- The Tax Assessor's definition of taxable nexus;
- BPOL's effect on competition to all business, however, with particular emphasis on technology firms, government contractors, and small businesses performing on fixed price contracts; and
- Visiting or surveying 50 to 100 employers to assess tax policy issues and the impact on job generation and business growth and retention.

Supervisor McConnell pointed out that the analysis should also include a review of business taxes being used by other like jurisdictions and the amount of revenue they could produce. She stated that it is not the intent of the ERAC to reduce the tax burden of the business community, but to put in place tax policies which are deemed fair and equitable.

Supervisor McConnell moved that the Board direct this analysis be conducted by GMU with the assistance of the ERAC. This motion was seconded by Supervisor Dix.

Chairman Davis relinquished the Chair to Acting-Chairman Hyland and asked that the motion be amended to include the Fairfax County Chamber of Commerce in this process, and this was accepted.

Acting-Chairman Hyland returned the gavel to Chairman Davis.

Supervisor Hanley asked that the motion be amended to include addressing the issues in the State Code which affect the BPOL, and this was accepted.

Following discussion, Chairman Davis relinquished the Chair to Acting-Chairman Hyland and asked that the motion be amended to appoint Supervisor Berger as the "contact" with George Mason University, and this was accepted.

Acting-Chairman Hyland returned the gavel to Chairman Davis.

Supervisor Hanley asked that the motion be amended to include requesting the University of Virginia and Virginia Tech to be involved in this process, if they so desire, and this was accepted.

Supervisor Hyland moved to amend the motion to include, in the proposed analysis concerning business, the subject of other taxes that are imposed in Fairfax County on individuals including: personal property tax, real estate tax, and the sales tax. This motion was seconded by Supervisor Hanley.

Following discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved to table Supervisor Hyland's amendment to the motion. This motion was seconded by Supervisor Dix and **CARRIED** by a recorded vote of five, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting "**NAY**," Supervisor Frey being out of the room, Supervisor Alexander being absent.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Hyland moved to amend the main motion to add representation from the Federation of Citizens Associations and the League of Women Voters to the Committee that is reviewing the subject of changes in the business taxes in Fairfax County . This motion was seconded by Supervisor Hanley.

The question was called on the amendment to the motion which **FAILED** by a recorded vote of four, Supervisor Bulova, Supervisor Hyland, Supervisor Hanley, and Chairman Davis voting "**AYE**," Supervisor Frey being out of the room, Supervisor Alexander being absent.

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

Supervisor Hyland moved that the Board direct staff to:

- Put together a group to study the question of tax policies in Fairfax County as they apply to individuals, which includes the imposition of real estate tax, personal property tax, sales tax, and any other taxes that would be imposed upon the individual, including the meals tax; and
- Review the results of the ERAC's analysis of business taxes and submit comments on this issue.

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

PENSION FUNDS:

Supervisor Dix said that one of the more controversial recommendations from the ERAC was the use of funds from the Virginia State Retirement System and the public employees' retirement system in Fairfax County as seed capital for emerging businesses and in qualified venture capital funds. The suggestion involved the use of one percent of the retirement funds' total assets for this purpose.

Supervisor Dix stated that this raises many legal issues including the "prudent man rule." As well, the County may need legislative authority in order to invest pension funds. Therefore, Supervisor Dix moved that the Board direct staff to review these issues and report what is involved in the use of pension funds as venture capital. This motion was seconded by Supervisor McConnell.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended to include the County's Retirement Fund Trustees in this process, and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor McConnell asked that the motion be amended to include "housing" in the process, and this was accepted.

Supervisor Hanley asked that the motion be amended to include the Deputy County Executive for Management and Budget in the process, and this was accepted.

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

RESOLUTION CONCERNING THE VIRGINIA WORLD TECHNOLOGY FAIR:

(R)Supervisor Dix moved adoption of the following Resolution:

"WHEREAS, the report of Virginia's Joint Sub-Committee to Study the Measures Necessary to Assure Virginia's Economic Recovery, chaired by Lt. Governor Donald S. Beyer, was reported to the General Assembly in January, 1992; and,

WHEREAS, that report included a recommendation to hold the first World Technology Fair by the year 2000 in numerous sites throughout Virginia to demonstrate the Commonwealth's leadership in the world technology community; and

WHEREAS, Fairfax County Economic Recovery Advisory Commission has endorsed that recommendation and proposed to the Fairfax County Board of Supervisors that it also endorse the recommendation to plan a Virginia-based World Technology Fair; and,

WHEREAS, Fairfax County is home to 18,000 business establishments of which over 3,000-or one of every four technology companies in the entire Commonwealth are involved in, or driven by, technological design, production, or development; and,

WHEREAS, Fairfax County is also the site of numerous support institutions for technology firms, including George Mason University, Northern Virginia Community College, the Telestar campus of the University of Virginia, Virginia Tech, and the Center for Innovative Technology; and,

WHEREAS, Fairfax County is generally acknowledged as the leading technology business community in the Commonwealth and as one of the leading technology business communities in the United States and the world;

THEREFORE, BE IT RESOLVED, that the Fairfax County Board of Supervisors does hereby express its strong interest to the Governor, the Lt. Governor, and the General Assembly in hosting primary events in the Virginia World Technology Fair, and in participating in the planning and conduct of its programs."

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

ERAC PRESENTATION:

Supervisor McConnell stated that the ERAC does hereby endorse the full funding (\$3,288,799) of the Fairfax County Economic Development Authority in the Fiscal Year 1993 budget, as submitted, and to include a business attraction advertising line item at least equal to the level authorized in Fiscal Year 1992, including mid-year appropriations.

Supervisor Dix congratulated Supervisor McConnell on her leadership with the ERAC.

45.SEWER ALLOCATION TO THE BRADDOCK COMMUNITY

CENTER (Tape 6)

(R)

(P)Supervisor McConnell stated that there was a sewer problem in the Lincoln-Lewis-Vannoy Community and moved that the Board adopt the following Resolution:

"WHEREAS, the Lincoln-Lewis-Vannoy Community is served by a closed-loop sewer system that was designed and constructed to have a finite capacity of 105,300 gallons per day, based on demand assumptions that allowed for 300 gallons per day potential capacity for each of the 351 building lots within the Lincoln-Lewis-Vannoy Conservation area, and;

WHEREAS, the improvement of the Braddock Community Center, which is located within the Conservation Area and is currently designated as Tax Map Number 67-1((1)) parcel 35, has been a goal and objective of the Lincoln-Lewis-Vannoy Neighborhood Improvement Program since its approval by the Board in 1976, prior to the design and construction of the closed-loop sewer system, and;

WHEREAS, the expansion that is planned for the Community Center is projected to require 1,500 gallons per day, the equivalent demand of five lots, and;

WHEREAS, four building lots in the Conservation Area, currently designated as Tax Map Number 67-1((1)) parcels 25, 26, 27 and 28, have been condemned by the State for road construction, and;

WHEREAS, lots that are to be utilized in their entirety for road construction, such as the four building lots previously referred to, will not require any public sewer, thereby enabling the Board to reallocate the sewage capacity for those lots to other lots in the Conservation Area;

BASED ON THE FOREGOING, Supervisor McConnell moved that the Board modify its Policy of providing sewer to each of the 351 building lots within the Conservation Area to reallocate the capacities currently allocated to the aforementioned parcels 25, 26, 27 and 28 to the Braddock Community Center lot, to provide for its projected sewer demand of 1,500 gallons per day."

This motion was seconded by Chairman Davis and carried by a vote of six, Supervisor Dix, Supervisor Frey, and Supervisor Hanley being out of the room, Supervisor Alexander being absent.

46.COMMENTS REGARDING MEALS TAX REFERENDUM

(Tape 6)

Supervisor Bulova announced that tomorrow, April 7, 1992, the meals tax goes to referendum. She stated that the County is painfully aware that there is almost \$100 million less revenue than the County had last year. The Board of Supervisors has taken a position in support of the meals tax, knowing that the approximately \$30 million it will generate will help the County balance its budget without having to make too many painful program or personnel cuts and without relying so heavily on the property tax.

Supervisor Bulova said that she has publicly stated that, if the meals tax is passed by the voters, she will support full funding of the budget adopted by the School Board. She has been told by several members of the school community that they would like the assurance that the majority of the Board is of the same mind.

Accordingly, she moved that, if the meals tax is approved at tomorrow's referendum, the Board will support full funding, through State and County sources, of the School Board's adopted budget for classroom, personnel, educational programs and services. She further moved the Board's concurrence that passage of the meals tax would avoid or minimize cuts to critical human services and public safety programs. This motion was seconded by Supervisor Hyland.

Supervisor Berger asked that the motion be amended to change the words in the last paragraph to read as follows:

•"...If the meals tax is approved at tomorrow's referendum, the Board of Supervisors will support full funding, through State and County resources, of the School Board's adopted budget for classroom personnel, and classroom programs."

Following clarification from Supervisor Bulova, it was determined that Supervisor Berger's proposed amendment was included in the motion.

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

47.REQUEST FOR WAIVER OF FEES FOR LITTLE LEAGUE**(Tape 7)**

Supervisor Berger said that playing Little League serves a valuable community service for boys and girls residing in the Dranesville District. He said that they

currently operate without any County financial assistance. He noted that this organization relieves some of the demand from the County's parks and recreational programs.

Supervisor Berger stated that the Little League is constructing improvements to its fields located on Westmoreland Street. He said that the League has agreed to convey to the County at no cost, the storm drainage easement across its property to allow for future channelization improvements to Pimmit Run.

Therefore, Supervisor Berger moved that the Board waive the Department of Environmental Management's (DEM) review fee of \$150.00 which is normally required to review the plat for the easement which the County is requesting. This motion was seconded by Chairman Davis and carried by a vote of six, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

AR:ar

48.VOLUNTEERS MAKE SHERWOOD LIBRARY MOVE

A BIG SUCCESS (Tape 8)

Supervisor Hyland stated that, as a result of his request at the Board Meeting of March 23, 1992, citizens residing in the Mount Vernon/Lee District areas volunteered to help move boxes of books which had been stored at the warehouse and place them on the shelves of Sherwood Library. He noted that this was successfully accomplished on March 28 and 29 by more than 300 volunteers who turned out to help. Although the truck unloading had been estimated to take at least two days, possibly four, it was done in just five and one-half hours on March 28. Now, the books are being shelved according to the Dewey Decimal System -- again with the help of volunteers.

Supervisor Hyland called the Board's attention to the following individuals and groups who contributed to the success of this volunteer effort:

- Phil Chabot, who coordinated the move;
- The hundreds of people who gave cheerfully of their time and energy;
- United Parcel Service and Federal Express who permitted the use of their conveyor belt system which resulted in high speed handling of the boxes of books as they were removed from the trucks;

- Interstate Van Lines and the Guiffre Distributing Company for use of their hand trucks and dollies;
- Smitty's Lumberteria for providing the plywood sheets to help protect the floor during the move;
- Dunkin' Donuts and Domino's Pizza who took on the job of feeding the volunteers from morning through completion of the task;
- The staff of both the Library System and the Office of General Services; and
- The many community, civic, and school organizations which helped spread the word.

Supervisor Hyland noted that the entire event represented a huge concerted effort by all of the above listed volunteers.

As an aside to all of this, Supervisor Hyland stated that he happened to be working alongside a strapping young man on Saturday who was lifting boxes with incredible speed and agility from around 8:00 a.m. until the boxes were all unloaded from the truck. The young man took no breaks and worked steadily. Upon completion of the assigned task, Supervisor Hyland discovered that the young volunteer is a resident of a nearby homeless shelter and is currently looking for work. Since the young man will be forced to leave the shelter on April 7, Supervisor Hyland has been making inquiries at local area businesses to see if someone needs a hard working man on their staff.

Accordingly, Supervisor Hyland moved that the Board direct staff to arrange for the many people and organizations who contributed to the joint volunteer effort at the Sherwood Library to appear before the Board of Supervisors, preferably in May of 1992, in order that they may be officially thanked and recognized for their efforts. This motion was seconded by Chairman Davis with the understanding that a Certificate of Appreciation, signed by the Chairman and Supervisor Hyland, will be prepared for presentation to each of the volunteers. The question was called on the motion which carried by a vote of six, Supervisor Frey, Supervisor McConnell, and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

49.RESOLUTIONS SUBMITTED BY THE MOUNT VERNON

COUNCIL OF CITIZENS ASSOCIATIONS (Tape 8)

Supervisor Hyland called the Board's attention to two Resolutions recently adopted by the Mount Vernon Council of Citizens Associations regarding the Acting County

Executive's Fiscal Year (FY) 1993 Budget Request, and on the April 7, 1992 Meals Tax Referendum.

Supervisor Hyland noted that the Resolution on the Acting County Executive's FY 1993 Budget Request asked the Board of Supervisors to adopt a real property tax rate of not more than \$1.15 by requiring the business community to contribute to the solution of the County's current funding problem through an increase in Business, Professional and Operating License (BPOL) and non-residential utility tax and by implementing other changes in the County Executive's Budget Request.

Additionally, the Council Resolution on the Meals Tax Referendum urges that the Board of Supervisors pledge in advance of the April 7 Referendum that:

- The residential property tax rate will not exceed \$1.15; and
- The revenue produced by the meals tax will be used for specifically identified budget items.

50.FAIRFAX COUNTY ADVERTISING CAMPAIGN AND

FUND RAISER (Tape 8)

Supervisor Hyland referred to the beautiful posters displayed in the Board Room which are being used by the Economic Development Authority (EDA) Convention and Visitors Bureau in order to promote tourism in Fairfax County.

Supervisor Hyland stated that the Visitors Center was established in the Gunston Plaza Shopping Center, Lorton, more than a year ago and since that time approximately 28,000 tourists have stopped by. He added that, of those, more than 11,000 people decided to stay in Fairfax County rather than continuing on into Washington, D.C. This resulted in \$4.1 million being deposited into Fairfax County.

With a notation that these posters, if they were for sale, would generate even more revenue for Fairfax County, Supervisor Hyland asked unanimous consent that the Board direct the Convention and Visitors Bureau of EDA to develop a cooperative effort between the business community, especially hotels, restaurants, real estate, and tourist foundations, to find a means of reproducing these and other posters which can be sold at Fairfax County's Visitors Centers, hotel gift shops, restaurants, real estate offices, libraries, George Mason University, parks, County Maps and Publications Desk, and any other places deemed appropriate. Without objection, it was so ordered.

51.HELP THE WILDLIFE REHABILITATOR (Tape 8)

Supervisor Hyland stated that there are approximately 25 wildlife rehabilitators in the Northern Virginia area. He clarified that wildlife rehabilitators are volunteers who care for their patients in their homes and that the incredible expense of caring for these injured animals is absorbed solely by the rehabilitator.

Since these expenses can be prohibitive at times, Supervisor Hyland noted that donations of dog and cat food, plus such items as Esbilac and soymilk (for caring for the young), and heating pads, incubators, aquariums, and caging material are also part of the endless list of needed items. Also, the donation of these items is tax deductible.

Donated items may be sent to the Fairfax County Animal Shelter at 4500 West Ox Road, Fairfax, Virginia, and you are asked to specify that your donation is for the care of wildlife. In addition, monetary donations can be mailed to the Humane Society of Fairfax County, P. O. Box 4555, Falls Church, Virginia 22044.

Accordingly, Supervisor Hyland asked unanimous consent that the Board:

- Direct the Office of Public Affairs to prepare a press release on the importance of the County's wildlife rehabilitator program; and
- Request a public access television channel explore ways of producing a documentary on this valuable program so that, when County residents have injured wildlife, they know where to go for help.

Without objection, it was so ordered.

52.REAUTHORIZATION OF THE CLEAN WATER ACT

(Tape 8)

Supervisor Hyland noted that the proposed Congressional action on the reauthorization of the Clean Water Act may require municipalities with a population of more than 100,000 people to obtain a system-wide stormwater permit by October 1, 1992. Under the 1987 Act, Fairfax County must obtain a permit which will demonstrate the use of best management practices to the maximum extent practicable which will meet the water quality standards as proposed by Congress. The Virginia Stormwater Management Law was enacted during the 1990 legislative session which allows local government to adopt a stormwater management ordinance.

Because this issue involves many different laws, pending amendments to existing Federal laws and local regulations, Supervisor Hyland asked unanimous consent that the Board request Government Relations, Incorporated, Fairfax County's agent to

review Federal legislation, to follow this issue and keep the Board of Supervisors advised on all pending legislation on the Reauthorization of the Clean Water Act since this legislation could have a dramatic impact on Fairfax County. Supervisor Hyland acknowledged that the present contract with Government Relations, Incorporated, is on a "task order" basis and that this is a "modest" request which is not intended to add any significant amount of money to the present contract. Without objection, it was so ordered.

53.WAIVER OF FEES FOR 8305 TELEGRAPH ROAD

(Tape 8)

Supervisor Hyland noted that Mr. Robert Scrimshaw, co-owner of the property located at 8305 Telegraph Road, has been working with the Department of Environment Management (DEM) and the office of Supervisor Hyland for more than a year to clear up a violation Mr. Scrimshaw received specifying discharge of unpermitted fill in a floodplain.

Due to the cooperation of Mr. Scrimshaw, and because of the expenses already incurred, Supervisor Hyland moved that the Board direct staff to waive the \$150.00 fee in order that the remaining violation on Mr. Scrimshaw's property may be removed. This motion was seconded by Chairman Davis and carried by a vote of six, Supervisor Frey, Supervisor McConnell, and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

54.PARKING TABULATIONS - EXISTING SHOPPING

CENTERS (Tape 8)

Supervisor Hyland stated that, within the last week, his office has received two telephone calls from the owners of retail businesses who are going into an existing shopping center to replace a business which has vacated. He added that in each case the new business owners have been asked by staff, pursuant to the County's requirements, to do a separate parking tabulation, a study of the existing shopping center where the new business proposes to locate. This parking study involves a lot of expense and a substantial amount of time.

Therefore, Supervisor Hyland moved that the Board direct staff to:

- Review this requirement as it applies to existing shopping centers where County staff, from the plat, knows the footprint of the building, and how much space could and would be available for parking; and

•Determine whether there are circumstances in which a new separate parking tabulation study really should not be required of a business simply coming in and replacing another.

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

55.MEALS TAX REFERENDUM (Tape 8)

(NOTE: Earlier in the meeting, there was discussion regarding this referendum. See Clerk's Summary Item CL#46.)

Supervisor Hyland reiterated his earlier support of the Meals Tax Referendum and expressed his hope that the residents of the Mount Vernon District will support the Referendum on April 7.

56.MAIL OUT - OFFICE OF ASSESSMENTS (Tape 8)

Supervisor Hanley stated that on March 23, 1992, she brought up a Board Matter concerning a mail-out from the Office of Assessments. She noted that the mail-out did not originate from the Office of Assessments and thanked them for their assistance in finding out exactly where the mail-out originated.

**57.REQUEST FOR PUBLIC HEARING BEFORE THE
PLANNING COMMISSION ON CONSOLIDATED SIGN
PLAN AMENDMENT CSPA 84-P-129 (Tape 8)**

Supervisor Hanley moved that the Board request the Planning Commission to schedule a public hearing before the Commission on Consolidated Sign Plan Amendment CSPA 84-P-129 at the earliest date in May 1992. This motion was seconded by Chairman Davis and carried by a vote of six, Supervisor Frey, Supervisor McConnell, and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

**58.REQUEST TO SCHEDULE PUBLIC HEARINGS ON
PROFFERED CONDITION AMENDMENT APPLICATION
PCA 83-P-036-2 AND SPECIAL EXCEPTION**

APPLICATION 92-P-015 (Tape 8)

Supervisor Hanley moved that the Board direct staff to schedule the public hearings before the Board of Supervisors for Proffered Conditional Amendment Application PCA 83-P-036-2 and Special Exception Application 92-P-015 for **June 8, 1992** at a time certain to be determined later by staff. This motion was seconded by Chairman Davis and carried by a vote of six, Supervisor Frey, Supervisor McConnell, and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

59.PICKETT ROAD TANK FARM SPILL IN FAIRFAX CITY**(Tape 8)**

Supervisor Hanley stated that on April 3, 1992, the Fairfax County Fire and Rescue Department issued an evacuation order for the residents of 9321 Convento Terrace due to the discovery of a petroleum product within three feet of the basement wall of the house at this address. She noted that the source of this petroleum is the Pickett Road Tank Farm located approximately 1800 to the west of this residence in Fairfax City.

Supervisor Hanley added that this event marks a new and dangerous twist to an environmental disaster that Fairfax County has been actively involved with for more than a year. In response to these events, the Fairfax City Council met two days ago and approved a fourteen point plan.

Supervisor Hanley noted that Fairfax County never wanted the tank farm there in the first place, and unsuccessfully pursued legal action during the 1960's to prevent the tank farm from locating on Pickett Road. In the interest of bringing about a permanent solution to the Pickett Road Tank Farm spill, Supervisor Hanley moved that the Board of Supervisors:

- Endorse the 14 point plan developed and enacted by the Fairfax City Council on April 4, 1992;
- Reaffirm Fairfax County's longstanding position that the Pickett Road site is not a suitable location for this type of facility; and
- Direct staff to continue to explore all options including legal channels available to Fairfax County to:
 - *Bring about a clean-up of this spill in an environmentally safe and expeditious manner;

*Close down the facility and get it moved permanently to a suitable location away from these residential neighborhoods;

*Pursue fair and full compensation for the affected citizens by Star Enterprise.

In addition, Supervisor Hanley moved that the Board relay these sentiments to the City of Fairfax, appropriate State officials, the Northern Virginia Congressional Delegation, and Star Enterprise as soon as possible.

This motion was jointly seconded by Supervisor Bulova and Chairman Davis.

Chairman Davis relinquished the Chair to Acting-Chairman Hyland and asked unanimous consent that the Board add this item to its Agenda for Executive Session. Without objection, it was so ordered.

Acting-Chairman Hyland returned the gavel to Chairman Davis.

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

(NOTE: Later in the meeting, there was additional discussion regarding this item. See Clerk's Summary Item CL#62.)

60.RECESS/EXECUTIVE SESSION (Tape 8)

At 2:00 p.m., Supervisor Dix 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, as well as:

- Board of Supervisors Versus the Resolution Trust Corporation as receiver of Trust Bank Savings, Civil Action Number 91-32M.

- Legal issues concerning Fairfax Terminal Tank Farm; and

- Administrative Item Six - Additional Time to Commence Construction for Special Exception SE 89-S-055, Star Enterprise (Springfield District).

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

SBE:sbe

At 2:45 p.m., the Board reconvened in the Board Room with all Board Members present, with the exception of Supervisor Alexander, and with Chairman Davis presiding.

61.ACTIONS FROM EXECUTIVE SESSION (Tape 9)

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 Hyland and carried by a vote of nine, Supervisor Alexander being absent.

B.JUVENILE COURT CASE, DOCKET NUMBERS 14112-K

AND 14112L

Supervisor Hanley moved that the Board authorize the filing of an appeal In Re: Juvenile Court Case, Docket Numbers 14112-K and 14112-L as recommended by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

(NOTE: Later in the meeting, there was an additional item from Executive Session. See Clerk's Summary Item CL#65.)

ADDITIONAL BOARD MATTER

62.FAIRFAX TERMINAL TANK FARM FACILITY

IN MANTUA (Tape 9)

(NOTE: Earlier in the meeting, there was additional discussion regarding this matter. See Clerk's Summary Item CL#59.)

Supervisor Hanley moved that the Board direct staff to contact the Commonwealth's Attorney General to communicate the Board's concern regarding the continued operation of the Fairfax Terminal Tank Farm Facility in view of the environmental disaster that occurred in Mantua, and request that the Commonwealth's Attorney General investigate this matter to determine the extent of her authority to bring about the necessary action to halt continued operations in these circumstances. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

63. RECESS (Tape 9)

At 3:00 p.m., the Board recessed briefly.

CM:cm

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

ADDITIONAL BOARD MATTER**64. USE OF THE MASSEY COMPLEX PARKING LOTS****BY THE CITY OF FAIRFAX FOR AUTO SALES****SHOW (Tape 10)**

Chairman Davis informed the Board that on February 24, 1992, a motion was passed at the request of the Mayor of the City of Fairfax permitting the use of the Massey Complex parking lot by the Fairfax City Auto Dealers Association and the Downtown Fairfax Coalition for two jointly planned auto sales shows scheduled for May 9-10, 1992 and October 3, 1992. He stated that it has been determined that there are zoning problems without a special exception approved by the Board.

Chairman Davis relinquished the Chair to Acting-Chairman Hyland and moved that the Board authorize the use of the Massey Complex parking lots as described under the direct authority of the Board as a public use. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Frey and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

Acting-Chairman Hyland returned the gavel to Chairman Davis.

65.ADDITIONAL ACTION FROM EXECUTIVE SESSION**(Tape 10)**

(NOTE: Earlier in the meeting, there were additional Actions From Executive Session. See Clerk's Summary Item CL#61.)

C. AUTHORIZATION OF SETTLEMENT OF TWELFTH SKYLINE**ASSOCIATES VERSUS THE BOARD OF SUPERVISORS OF****FAIRFAX COUNTY; THIRTEENTH SKYLINE ASSOCIATES****VERSUS THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY;****FOURTEENTH SKYLINE ASSOCIATES VERSUS THE BOARD OF****SUPERVISORS OF FAIRFAX COUNTY; AND FIFTEENTH****SKYLINE ASSOCIATES VERSUS THE BOARD OF SUPERVISORS****OF FAIRFAX COUNTY AT LAW NUMBERS 103633, 103635;****103637, AND 103634**

Supervisor Trapnell moved that the Board authorize settlement of Twelfth Skyline Associates versus Board of Supervisor of Fairfax County; Thirteenth Skyline Associates versus Board of Supervisor of Fairfax County; and Fourteenth Skyline Associates versus Board of Supervisor of Fairfax County Consolidated at Law Nos. 103633, 103635; 103637 and Fifteenth Skyline Associates versus Board of Supervisors of Fairfax County, At Law No. 103634 according to the terms and conditions outlined by the Acting-County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Frey and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

66.VISITORS FROM THE REPUBLIC OF UKRAINE**(Tape 10)**

John Frey, Clerk of the Court, presented visitors from the Republic of Ukraine who are in the United States to observe how the County archives land records and other documents.

67.ADMIN 6 - ADDITIONAL TIME TO COMMENCE**CONSTRUCTION FOR SPECIAL EXCEPTION****APPLICATION SE 89-S-055, (STAR****ENTERPRISE) SPRINGFIELD DISTRICT****(Tape 10)**

Supervisor Berger moved approval of Administrative Item Six - Additional Time to Commence Construction for Special Exception Application SE 89-S-055, Star Enterprise, Springfield District. This motion was seconded by Supervisor Dix and **CARRIED** by a recorded vote of five, Chairman Davis voting "NAY," Supervisor Bulova abstaining, Supervisor Frey and Supervisor Hanley being out of the room, Supervisor Alexander being absent.

68.A-6 - APPROVAL OF A REVISED SERVICE AGREEMENT**BETWEEN THE COUNTY AND THE FAIRFAX HOSPITAL****SYSTEM (FHS) (Tape 10)**

(NOTE: Earlier in the meeting, there was additional discussion regarding this item. See Clerk's Summary Item CL#14.)

Supervisor Dix moved that the Board concur in the recommendation of staff and approve the revised service agreement between the Department of Human Development (DHD) and the Fairfax Hospital System (FHS) and one additional Clerical Specialist position (S-11 1/1.0 SYE) for the DHD. This motion was seconded by Supervisor Bulova and **CARRIED** by a recorded vote of four, Supervisor Hyland, Supervisor McConnell, and Chairman Davis abstaining, Supervisor Frey and Supervisor Hanley being out of the room, Supervisor Alexander being absent.

(NOTE: Later in the meeting, Supervisor Hanley asked to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#69.)

69.REQUEST TO RECORD VOTE (Tape 10)

Upon her return to the Board Room, Supervisor Hanley asked unanimous consent to be recorded as voting "AYE" on Action Item Number Six. Without objection, it was so ordered.

70.3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT

APPLICATION PCA 84-P-084 [FAIRFAX COUNTY

REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA)]

(SULLY DISTRICT) (Tape 10)

Chairman Davis disclosed that some of the members of the limited partnership of the Evans Group were contributors to the Davis for Chairman Campaign.

On behalf of Supervisor Frey, Supervisor Hanley moved to defer the public hearing on Proffered Condition Amendment Application PCA 84-P-084 until **April 7, 1992 at 3:00 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Frey and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

71.3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

SE 90-C-044 (THE NATIONAL COUNCIL OF TEACHERS

OF MATHEMATICS, INCORPORATED), AN ILLINOIS

NON-PROFIT CORPORATION) (CENTREVILLE DISTRICT)

(Tape 10)

Mr. Anthony Calabrese reaffirmed the validity of the affidavit for the record.

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

Supervisor Dix moved that:

- The Board approve Special Exception Application SE 90-C-044 subject to the development conditions contained in Appendix One of the Staff Report dated April 6, 1992;

- Pursuant to Paragraph Five of Section 11-102 of the Zoning Ordinance, the number of required parking spaces shall be 85; and
- The Board waive the peripheral parking lot landscaping to that shown on the Special Exception Plat dated January 16, 1992 as revised April 6, 1992.

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

72.3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

**SE 91-V-047 (THE MOST REVEREND JOHN R. KEATING,
BISHOP OF THE CATHOLIC DIOCESE OF ARLINGTON,
VIRGINIA, ET AL) (MOUNT VERNON DISTRICT)**

(Tape 10)

Mr. William F. Enderle reaffirmed the validity of the affidavit for the record.

Mr. Enderle 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, Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Frey and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

Supervisor Hyland moved that the Board:

- Approve Special Exception Application SE 91-V-047 subject to the development conditions contained in Appendix One of the Staff Report;
- Waive the transitional screening and barrier requirements along all boundaries that currently exist on the site;
- Waive the interior parking lot landscaping requirements; and
- Waive the service drive requirements along Richmond Highway.

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

Supervisor Hyland further moved that the Board waive the Site Plan requirements. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Frey and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

73.3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

SE 91-P-051 (ALLWIN OF IDYLWOOD, INCORPORATED)

(PROVIDENCE DISTRICT) (Tape 10)

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.

As a result of meetings with various civic groups, Supervisor Hanley read into the record the following additional conditions:

- Number 25, the addition as passed by the Planning Commission should read "until such time as the Mount may be rehabilitated it shall be kept secured, stabilized, and in good repair," rather than habitable; and
- Add, to the last sentence on Number 23, "The area located south of Lots 13 and 14 and identified as open space on the Special Exception Plat shall be planted with supplemental vegetation as determined necessary by the Urban Forester to achieve adequate screening for Lot 65."

Following a query from Supervisor Hanley, Mr. Martin stated for the record that the applicant concurred with the additional proposed conditions.

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

Following a lengthy discussion Supervisor Hanley moved approval of Special Exception Application SE 91-P-051 subject to the revised development conditions

dated April 3, 1992 and modified April 6, 1992. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Frey and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

**74.3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112
(ZONING) REGARDING TREE COMMISSION**

MEMBERSHIP (Tape 10)

(BACs)

(O)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issues of March 19 and March 26, 1992.

Following the public hearing, Supervisor Hanley moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Article 19, to revise the membership of the Tree Commission to include citizen representation from the Sully District and to make editing revisions, **to become effective upon adoption**. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

**75.3:30 P.M. - PH ON PROPOSED REVISIONS TO THE
ADOPTED COMPREHENSIVE PLAN, OUT-OF-TURN PLAN
AMENDMENT ITEM S92-III-UP1 - PROPERTIES
LOCATED NORTH OF THE DULLES AIRPORT
ACCESS ROAD, DRANESVILLE DISTRICT (No Tape)**

(NOTE: At the Board of Supervisors' meeting held on March 23, 1992, action was taken to defer the public hearing on proposed revisions to the Adopted Comprehensive Plan, Out-of-Turn Plan Amendment Item S92-III-UP1 until April 27, 1992 at 4:00 p.m.)

76.3:30 P.M. - BOARD DECISION ON THE ACQUISITION

**OF CERTAIN SANITARY SEWER EASEMENTS NECESSARY
FOR CONSTRUCTION OF THE LORFAX HEIGHTS
SUBDIVISION SANITARY SEWER EXTENSION
PROJECT (MOUNT VERNON DISTRICT) (Tape 10)**

(R)(NOTE: The public hearing was held on March 23, 1992 and Board decision deferred until April 6, 1992.)

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issues of March 5 and March 12, 1992.

Supervisor Hyland moved adoption of the Resolution authorizing the acquisition of certain sanitary sewer easements necessary for construction of the Lorfax Heights Subdivision Sanitary Sewer Extension Project X00819 (P00003), Mount Vernon District. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Dix and Supervisor Frey being out of the room, Supervisor Alexander being absent.

77.4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

**SE 91-P-041 [FAIRFAX COUNTY REDEVELOPMENT AND
HOUSING AUTHORITY (FCRHA)] (PROVIDENCE DISTRICT)
(Tape 10)**

Mr. Michael Scheurer reaffirmed the validity of the affidavit for the record.

Mr. Scheurer 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, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Hanley moved approval of Special Exception Application SE 91-P-041 subject to the revised development conditions dated March 26, 1992. This motion was

seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Dix and Supervisor Frey being out of the room, Supervisor Alexander being absent.

Supervisor Hanley moved waiver of the barrier requirements along the eastern boundary pursuant to Paragraph 14 of Section 13-304 of the Zoning Ordinance. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Dix and Supervisor Frey being out of the room, Supervisor Alexander being absent.

**78. 4:00 P.M. - PUBLIC HEARING ON THE AMENDMENT OF
THE ARTICLES OF INCORPORATION WHICH CREATED
THE FAIRFAX COUNTY WATER AUTHORITY (I) TO
EXPAND THE NUMBER OF MEMBERS WHO ARE
APPOINTED BY THE BOARD TO THE AUTHORITY
AND (II) TO REVISE AN OBSOLETE REFERENCE
TO THE LOCATION OF THE OFFICES OF THE
AUTHORITY (Tape 10)**

(BACs)

(R)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issues of March 6, 1992.

Following the public hearing, Supervisor Hanley moved adoption of the Resolution:

- Supporting the proposed amendments to the Articles of Incorporation of the Fairfax County Water Authority to expand the membership by adding a tenth member; and
- Directing the Clerk to the Board to file a request for an amended Articles of Incorporation with the State Corporation Commission (SCC).

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

79.4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE

**CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112
(ZONING) REGARDING THE ZONING APPLICATION**

FEE SCHEDULE (Tape 10)

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issues of March 12 and March 19, 1992.

Following the public hearing, which included testimony by one speaker, Supervisor Bulova moved to defer Board decision until **April 21, 1992 at 10:00 a.m.** This motion was jointly seconded by Supervisor Hanley and Supervisor Hyland and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Alexander being absent.

80.BOARD RECESS (Tape 10)

At 4:30 p.m., the Board recessed for dinner.

SBE:sbe

At 7:05 p.m., the Board reconvened in the Board Room with all Board Members present, with the exception of Supervisor Alexander and Supervisor McConnell, and with Chairman Davis presiding.

**81.7:00 P.M. - PRESENTATION BY THE SCHOOL BOARD ON
THE SCHOOL BOARD'S FISCAL YEAR (FY) 1993**

ADVERTISED BUDGET (Tape 11)

Kohann H. Whitney, Chairman, Fairfax County School Board introduced those School Board Members present in the Board Room. On behalf of the Board of Supervisors, Chairman Davis warmly welcomed them to the Board Room.

Ms. Whitney presented to Board Members the School Board's Fiscal Year (FY) 1993 Advertised Budget.

A brief question-and-answer period ensued among Board Members and School Board representatives.

82.7:30 P.M. - PUBLIC HEARINGS ON: THE PROPOSED ADOPTION OF THE COUNTY EXECUTIVE'S FISCAL YEAR (FY) 1993 ADVERTISED BUDGET PLAN, AND THE COUNTY AND SCHOOLS' FY 1992 THIRD QUARTER REVIEW; THE PROPOSED REAL ESTATE TAX RATE INCREASE FOR FY 1993; THE PROPOSED PERSONAL PROPERTY LEVY INCREASE FOR CERTAIN CLASSIFICATIONS OF PERSONAL PROPERTY FOR FY 1993; THE PROPOSED REFUSE COLLECTION LEVY INCREASE FOR FY 1993; AND THE ADOPTED AMENDMENT TO CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67 (SANITARY SEWERS AND SEWAGE DISPOSAL), SECTIONS 67-4-2, SEWER CHARGE INCREASE FOR FY 1993 (Tapes 11-16)

Certificates of Publication were filed from the Editors of the Washington Post showing that notice of said public hearings on the following had been duly advertised in that Newspaper as described:

March 26, 1992:

- Proposed adoption of the County Executive's Fiscal Year (FY) 1993 Advertised Budget Plan, and the County and Schools' FY 1992 Third Quarter Review;

March 12 and March 19, 1992:

- Proposed personal property levy increase for certain classifications of personal property for FY 1993;
- Proposed real estate tax rate increase for FY 1993;

- Proposed amendment to Code of the County of Fairfax, Chapter 67 (Sanitary Sewers and Sewage Disposal), Sections 67-4-2, Sewer Charge Increase for FY 1993; and
- Proposed refuse collection levy increase for FY 1993.

The public hearing was held, with testimony being presented by 74 speakers, and scheduled for continuation on Tuesday, April 7, 1992, at 7:30 p.m.

83.BOARD RECESS (Tape 16)

At 12:15 a.m., the Board recessed until Tuesday, April 7, 1992 at 3:00 p.m. for the following public hearings:

3:00 P.M.

- Proposed amendments to the Code of the County of Fairfax:
 - *Chapter 41 (Animals and Fowl);
 - *Chapter 4 (Taxation and Finance), Article 4, Section 4-4-4;
 - *Chapter 4 (Taxation and Finance), Article 10, Section 4-10-4; and
 - *Chapter 4 (Taxation and Finance), Article 11, Section 4-11-3;.

3:30 P.M.

- Proposed amendments to the Code of the County of Fairfax:
 - *Chapter 84 (Public Transportation), Article 2 (Operators' Certificates), Section 12 (a) and (b), and Article 3 (Hacker's License), Section 5;
 - *Chapter 4 (Taxation and Finance), Article 9, Section 4-9-1(a)(1)(B) Mixed Beverage License Tax; and
- Proposed adoption of an ordinance to establish a special service district for the control of gypsy moth infestations.

7:30 P.M.

- Continuation of the following public hearings:

*Proposed adoption of the County Executive's Fiscal Year (FY) 1993 Advertised Budget Plan, and the County and Schools' FY 1992 Third Quarter Review;

*Proposed personal property levy increase for certain classifications of personal property for FY 1993;

*Proposed real estate tax rate increase for FY 1993;

*Proposed amendment to Code of the County of Fairfax, Chapter 67 (Sanitary Sewers and Sewage Disposal), Sections 67-4-2, Sewer Charge Increase for FY 1993; and

*Proposed refuse collection levy increase for FY 1993.