



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS

OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

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

**MONDAY
DECEMBER 10, 1990**

30-90

JLD:JLD

The meeting was called to order at 9:40 a.m. with all members being present, with the exception of Supervisor Davis and Supervisor McConnell, and with Chairman Moore presiding.

Supervisor McConnell arrived at 9:45 a.m.

Supervisor Davis arrived at 10:00 a.m.

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

2. FINAL BOARD OF SUPERVISORS' MEETING FOR
J. HAMILTON LAMBERT IN CAPACITY AS
COUNTY EXECUTIVE OF FAIRFAX COUNTY,
VIRGINIA (TAPE 1)

Chairman Moore announced that this would be the last Board of Supervisors' meeting at which J. Hamilton Lambert would be serving as the County Executive of Fairfax County, Virginia.

3. CERTIFICATES OF APPRECIATION COMMENDING
GEORGE MASON UNIVERSITY ON ITS "WITCH
WATCH" PROGRAM (TAPE 1)

The presentation of the Certificates of Appreciation to the participants and donors of George Mason University's "Witch Watch" program was deferred until later in the meeting when the participants could be present.

(NOTE: The Certificates were presented later in the meeting. See Clerk's Summary Item CL#5.)

4. CERTIFICATES OF APPRECIATION COMMENDING
THE DIFFICULT RUN PROJECT FALL STREAM
CLEAN-UP PARTICIPANTS (TAPE 1)

Supervisor Pennino moved approval of the presentation of the Certificates of Appreciation presented to the participants of the Difficult Run Project Fall Stream Clean-Up for their outstanding efforts. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Alexander being out of the room, Supervisor Davis and Supervisor McConnell not yet having arrived.

5. CERTIFICATES OF APPRECIATION COMMENDING
GEORGE MASON UNIVERSITY ON ITS "WITCH
WATCH" PROGRAM (TAPE 1)

Supervisor Bulova moved approval of the presentation of the Certificates of Appreciation presented to Nicole La Roche, Coordinator, other "Witch Watchers," and donors commending them for their outstanding efforts in the safety of children in Fairfax County on Halloween night and their contributions for this year's successful "Witch Watch" Program, initiated by George Mason University (GMU) students. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Alexander being out of the room, Supervisor Davis not yet having arrived.

6. CERTIFICATES OF APPRECIATION COMMENDING
THE FAIRFAX COUNTY NEIGHBORHOOD WATCH
PROGRAM (TAPE 1)

Supervisor McConnell moved approval of the presentation of the Certificates of Appreciation presented to the following major donors of the Fairfax County Neighborhood Watch Program commending them for their support to the citizens of Fairfax County:

- American Medical Laboratories, Incorporated;
- Bank 1st;
- BDM International, Incorporated;
- C & P Telephone of Virginia;
- Everhart Jewelers, Incorporated;
- Giant Food, Incorporated;
- Hazel/Peterson Companies;
- Macy's Northeast, Incorporated;

- Mobil Corporation;
- Northern Virginia Natural Gas; and
- Virginia Power.

This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander being out of the room, Supervisor Davis not yet having arrived.

7. CERTIFICATES OF APPRECIATION COMMENDING
WILLIAM LOCKWOOD FOR YEARS OF SERVICE
ON THE PLANNING COMMISSION (TAPE 1)

Supervisor Hanley moved approval of the presentation of the Certificate of Appreciation presented to William Lockwood for his many years of dedicated service on the Fairfax County Planning Commission. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor Davis not yet having arrived.

8. 10:00 A.M. - PRESENTATION ON EFFECTIVE TAX
COLLECTION (TAPE 1)

(NOTE: The presentation on effective tax collecting was deferred until later in the meeting. See Clerk's Summary Item CL#12.)

9. ORDERS OF THE DAY (TAPE 1)

Chairman Moore announced that the presentation on effective tax collection procedures utilized by Arlington County had been delayed for a few moments. In the interim, she changed the Orders of the Day to permit Supervisor Richards time to present a Board Matter on a very important issue regarding the grant application to the Urban Mass Transportation Administration (UMTA).

PMH:PMH

10. BOARD DECISION ON THE GRANT APPLICATION TO THE
URBAN MASS TRANSPORTATION ADMINISTRATION (UMTA)
FOR TRANSIT FACILITIES IN THE DULLES CORRIDOR
(CENTREVILLE, DRANESVILLE AND PROVIDENCE
DISTRICTS) (TAPE 1)

Supervisor Richards stated that John Milliken, Secretary of Transportation and Public Safety, Governor's Cabinet, Commonwealth of Virginia, is requesting an extension of time until July 1, 1991 for the grant application to the Urban Mass Transportation Administration (UMTA) for transit facilities in the Dulles Corridor for the purpose of considering an alternative concept.

Following discussion, with input from J. Hamilton Lambert, County Executive, Supervisor Richards reiterated that if approval of a 30 day extension or an extension until July 1, 1991 is NOT granted and the Board notified in writing today, then the Board should proceed with action with the staff recommendation.

Supervisor Richards said that the County will be receiving the deed for the station at Tysons Corner on January 14, 1991. She asked unanimous consent that the Board direct staff to invite a representative of West*Group to present the deed to the Board of Supervisors at its meeting scheduled for January 14, 1991 during the morning session. Without objection, it was so ordered.

Supervisor Richards stated that if the extension of time is granted, a conference will be scheduled for Saturday, December 17, 1990 from 9:00 a.m. until 12:00 noon at Worldgate to address the alternative concept.

Supervisor Richards moved that the Board request Secretary Milliken to attempt to obtain, in writing by the end of today, an agreement to defer the filing date for the UMTA grant until July 1, 1991. This motion was seconded by Supervisor Hyland.

Chairman Moore read a letter into the record from Roland J. Mross, Deputy Administrator, UMTA, which stated that the request for federal funding should not exceed the \$36 million maximum. He also indicates that the funds cannot be reserved for the Dulles Corridor beyond January 31, 1991 without a grant application encompassing a firm cost estimate, final site determinations, and a commitment of local match.

Supervisor Richards explained that this letter was based on a previous conversation that she had with Mr. Mross. She said that the request from Secretary Milliken came following receipt of this letter.

Supervisor Richards amended the motion to request Secretary Milliken to include in the letter addressing the extension of time a specific commitment to "hold that grant," and this was accepted.

Shiva K. Pant, Director, Office of Transportation, stated that the statutory deadline for filing applications is February 15, 1991. He stated that the letter from the Administrator should state that the normal statutory deadline for filing of applications is waived from February 15, 1991 to whenever.

Supervisor Davis asked that the motion be amended to include that the Board also request Congressman Frank Wolf to ask for an extension for the grant application, and this was accepted.

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

(NOTE: Later in the meeting, action was taken on this matter. See Clerk's Summary Item CL#115.)

11. TRANSPORTATION FUNDING COALITION (TAPE 1)

Because of the reaction by the Federation of Citizens Association to the proposal regarding the establishment of a transportation funding coalition, Supervisor Richards announced that Board action would be deferred on this issue until January 14, 1991. She suggested that, in the interim, Board Members discuss this proposal with community groups.

JLD:JLD

12. 10:00 A.M. - PRESENTATION ON EFFECTIVE TAX COLLECTION (TAPES 2-3)

Frank O'Leary, Treasurer, Arlington County, briefed Board Members on Effective Tax Collection procedures utilized by Arlington County.

Following the presentation by Mr. O'Leary, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and moved that the Board direct staff to report with a proposed tax collection program for Fairfax County, to include components of the Arlington County tax collection program, by February 1, 1991, in order that the County may put the program into effect. This motion was seconded by Supervisor Hyland.

Supervisor Davis asked that the motion be amended to include:

- The Treasurer's office AND the Office of Assessments in the definition of staff;
- Proposals for the collection of real estate taxes in the report; and
- A response regarding what is done with the lists of Fairfax County decal violators that Board Members submit to staff.

This amendment was accepted.

Supervisor Hanley asked that the motion be further amended to include that the Board direct staff to separate the report into components, similar to those of the Arlington County program, with the costs attached, and this was accepted.

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

Vice-Chairman Pennino returned the gavel to Chairman Moore.

Chairman Moore reiterated that the intent of her motion had been with the understanding that staff report to the Board in time to initiate an enforcement program in February 1991.

BOARD MATTERS

PMH:PMH

13. A-15 - FAIRFAX COUNTY ACCEPTANCE AND PASS THROUGH OF OFFENDER AID AND RESTORATION VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES (VDCJS) GRANT (TAPE 4)

(SAR) Chairman Moore called to the Board's attention Action Item A-15 - Fairfax County Acceptance and Pass Through of Offender Aid and Restoration Virginia Department of Criminal Justice Services (VDCJS) Grant and she relinquished the Chair to Acting-Chairman Hyland and moved that the Board concur in the recommendation of staff and approve Supplemental Appropriation Resolution (SAR) AS 91030, for the acceptance and pass through of \$45,000 from the Virginia Department of Criminal Justice Service (VDCJS) to the Offender Aid and Restoration (OAR) State Committee for the establishment of other OAR office(s) in the State. There is no local funding required for this pass through grant. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Alexander, Supervisor Pennino, and Supervisor Richards being out of the room.

14. ADMIN 1 - ADVERTISEMENT FOR A PUBLIC HEARING TO AMEND THE CURRENT APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 1991 REVISED BUDGET PLAN (TAPE 4)

Supervisor Moore called to the Board's attention Administrative Item One - ADMIN 1 - Advertisement for a Public Hearing to Amend the Current Appropriation Level in the Fiscal Year (FY) 1991 Revised Budget Plan and she moved that the Board direct staff to:

- Report to the Board at the time of the "Mid-year" budget review regarding the issue of sales of bonds and the bond

program, (both Schools and County) which will assist the Board in determining if it should be proceeding with the construction program as rapidly as is planned; and

- If necessary, determine if the construction program can be slowed down to hold down the increase in cost of debt service.

This motion was seconded by Supervisor Bulova.

Following discussion, with input from J. Hamilton Lambert, County Executive, Supervisor Hanley stated that she had previously requested a status report regarding bonds and bond projects. She requested that these items be presented at the same time.

The question was called on the motion which carried by a vote of seven, Supervisor Davis and Supervisor Richards being out of the room.

Acting-Chairman Hyland returned the gavel to Chairman Moore.

(NOTE: Later in the meeting, action was taken to authorize the advertisement of the public hearing. See Clerk's Summary Item CL#50-1.)

15. WOLVERINES WIN STATE CHAMPIONSHIP (TAPE 4)

Supervisor Hyland announced that the West Potomac High School Wolverines have won the State Championship. He congratulated all team members, coaches, parents, and supporters of the team.

Supervisor Hyland asked unanimous consent that the Board direct staff to schedule an appearance before the Board by the members of the West Potomac High School's Wolverines team and their coach so that they may be congratulated for their truly outstanding efforts at the same time as the Annandale High School's Atoms football team. Without objection, it was so ordered.

Supervisor Pennino asked unanimous consent that the Madison High School girls' tennis team, who won the State Championship, also be scheduled at the same time to appear before the Board. Without objection, it was so ordered.

16. BRUSH NO LONGER ACCEPTED FOR DISPOSAL WITH NORMAL GARBAGE (TAPE 4)

Supervisor Hyland referred to a letter that some civic associations have been distributing to their communities which suggested that the County, effective January 1, 1991, would no longer be accepting brush for

disposal nor would the County be picking up Christmas trees this year. He said that this was inaccurate information.

Supervisor Hyland said that apparently the information should have read: "Effective January 1, 1991 brush will no longer be accepted for disposal with normal garbage. Brush and trees will be recycled so we ask that this material be set aside separately at curbside."

Supervisor Bulova clarified that brush refers to "woody" material such as twigs and branches and not leaves or grass.

17. LETTER TO THE ARMED FORCES (TAPE 4)

Supervisor Hyland asked unanimous consent that the Board send a letter of gratitude to the armed forces, through the editors of the newsletters that reach them at Operation Desert Shield and to the local newspapers for their dependents. He stated that he would like the letter to:

- Express the Board's deep appreciation for their (and their families) sacrifice they are giving to this nation in order to keep world peace.

Without objection, it was so ordered.

Supervisor Hyland stated that if anyone would like to write a letter or send children's drawings, cards, cartoons, books, etcetera to the local battalion from Fort Belvoir, the address is:

437th Military Police Company
519th Military Police Battalion
APO New York 09657.

Or, if you wish to write to anyone, that address is:

Any Soldier
Operation Desert Shield
APO New York 09848-0006.

18. ENVIRONMENTAL SUBCOMMITTEE MEETING (TAPE 4)

Supervisor Hyland stated that on November 26, 1990, the Board authorized staff to advertise the proposed amendment to the County Code to add a new Chapter 118 regarding the Chesapeake Bay Preservation ordinance. He stated that the Planning Commission will be holding its public hearing on Wednesday, December 12, 1990, and the Board will be holding its public hearing on January 28, 1991.

Noting the necessity for staff to brief the Board's Environmental Subcommittee on the comments received by the Planning Commission prior to the Board's public hearing, Supervisor Hyland moved that the Board:

- Direct staff to set a date in early January 1991 for the Environmental Subcommittee briefing following the Planning Commission's public hearing but before the public hearing scheduled by the Board on January 28, 1991; and
- Schedule the public hearing for this item in the evening so that citizens can participate.

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

19. PERFORMANCE-BASED BUDGETING (TAPE 4)

Supervisor Hyland stated that one of his constituents had recently called his attention to an article in the Washington Post about the Federal Government's Office of Management and Budget's interest in Performance-Based Budgeting. The article focuses on this budgeting method used successfully for the last 10 years by the City of Sunnyvale, California as a means for basing its budget on demonstrated results, not just rules, procedures, and habit. The following are examples of how performance-based budgeting works:

Example 1:

The Parks Department promised to "repair all reported vandalism within three working days, 90 percent of the time", in return for a \$33,938.40 appropriation; and

Example 2:

Police said they would respond to emergency calls "within 5.6 minutes or less 90 percent of the time" in return for \$677,398.48.

Supervisor Hyland noted that unlike budget lines in most cities, the price tag for each task included not just the cost of staff salaries, but fringe benefits, equipment rental, space and office supplies. This method tells the taxpayer what to expect up front when their tax dollars are spent and then later, what was actually achieved.

Supervisor Hyland stated that, although performance and results have long been used as the criteria governing employee salary increases in many private and government institutions, the same principal has not consistently been applied to establishing budgets.

Therefore, Supervisor Hyland moved that the Board direct the Deputy County Executive for Management and Budget to review the concept of Performance-Based Budgeting as it may pertain to Fairfax County, and return to the Board with his findings and recommendations. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Hanley and Chairman Moore being out of the room.

20. EXPEDITED HANDLING FOR SPECIAL EXCEPTION APPLICATION SE 88-V-051 (TAPE 4)

Supervisor Hyland moved that the Board direct staff to:

- Expedite the handling of Special Exception Application SE 88-V-051 for Long Signature Homes at Washington Woods; and
- Concurrently process any plans through the Department of Environmental Management (DEM) while the Special Exception is being processed.

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

Following discussion, Supervisor Davis moved that the Board direct staff to review the possibility of a notification procedure which would notify applicants 30 days prior to the expiration of a Special Exception. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Hanley being out of the room.

21. OUT-OF-TURN PLAN AMENDMENT FOR THE LORTON/SOUTH ROUTE ONE AREA STUDY (TAPE 4)

With reference to letters of support from the Lorton area citizenry, the Newington Forest Community Association, the Federation of Lorton Communities, the Shirley Acres Citizens Association and the Mount Vernon Council of Citizens Associations, Supervisor Hyland moved that the Board direct staff to schedule public hearings, with the Planning Commission hearing to be held no later than January 1991, in order that the proposed Comprehensive Plan amendments for the Lorton/South Route One Area Study may be taken out-of-turn. This motion was seconded by Supervisor Davis.

Following discussion, Supervisor Pennino stated that it was her understanding that it was the Board's Policy not to take Area amendments to the Comprehensive Plan out-of-turn with the ongoing County planning review process.

Chairman Moore requested a ruling from David T. Still, County Attorney, on whether the motion was appropriate under Robert's Rules of Order.

Chairman Moore ruled the motion out of order.

Supervisor Davis moved to appeal the ruling of the Chair. This motion was seconded by Supervisor Hyland.

Mr. Still stated that the subject issue was within the Board's purview.

The question was called on Supervisor Davis' motion which carried by a recorded vote of eight, Chairman Moore voting "NAY."

Following discussion, with input from James P. Zook, Director, Office of Comprehensive Planning, Supervisor Hyland moved to call the question on the motion. The second to this motion was inaudible. The motion carried by a recorded vote of eight, Supervisor Bulova voting "NAY."

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

VLL:VLL

22. EXPEDITIOUS PROCESSING REQUESTED FOR
SPECIAL EXCEPTION APPLICATION FILED BY
WORD OF LIFE CHURCH (LEE DISTRICT)
(TAPE 5)

Supervisor Alexander moved that the Board direct staff to expedite the Special Exception Application and simultaneously process the Site Plan filed for the Word of Life Church located at the intersection of Backlick Road and Edsall Road (5225 Backlick Road), Lee District. He stated that the applicant understands that this action neither provides him with a vested right in the Site Plan approval or relieves him from the responsibility of any Plan modifications as a result of Board review. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Hyland and Supervisor McConnell being out of the room.

23. BRIEFING ON IMPROVING BUS STOPS (TAPE 5)

Supervisor Alexander briefed Board Members on a simple and innovative plan for improving bus stops in Fairfax County that he and Transportation Commissioner Robert Heittman have been working on for several months. He gave a slide presentation on the use of precast concrete platforms, in a simple modular design, to span the existing drainage ditches at Metro and CONNECTOR Bus stops. He stated that these would help resolve issues of safety and convenience at bus stops without requiring additional land acquisition or significant design delays and costs. In essence, he stated that it would be using the "air rights" over the existing road right-of-way to provide a safe place for bus riders to stand.

Following the slide presentation, Chairman Moore commended the outstanding performance of Supervisor Alexander and Mr. Heittman.

Supervisor Alexander moved that the Board:

- Direct the Department of Public Works staff to work with Mr. Heittman to review and determine whether this concept is practical; and
- Authorize the use of funding allocated to the Old Keene Mill Road improvement project to fabricate some singular models of this type of platform at the new turnout sites on Old Keene Mill Road discussed during the presentation.

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

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board urge staff to proceed as expeditiously as possible on this project. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

24. REQUEST FOR FUNDING AND STAFF TIME TO BE USED TO RESOLVE 13C AGREEMENT PROBLEMS (TAPE 5)

Supervisor Alexander stated that last year a group was created consisting of representatives throughout the country to investigate the possibility of obtaining administrative changes in the way 13C agreements are enforced, especially on the part of local governments

who have had difficulties trying to get unions to sign off on agreements for transportation improvements. He briefed Board Members on a meeting that he and Shiva K. Pant, Director, Office of Transportation, had attended with representatives from Texas, Michigan, and California, to discuss 13C agreement problems. He asked unanimous consent that the Board refer to the County Executive for his review and recommendation the request for a funding contribution and accommodation of staff time towards this issue. Without objection, it was so ordered.

25. RIBBON CUTTING CEREMONY SCHEDULED FOR RESTON PARKWAY (TAPE 5)

Supervisor Pennino stated that as a result of the extensive proffers extracted when actions were taken to rezone North Point of Reston and Reston Town Center, Reston Parkway was built from Baron Cameron Road up to Route 7. She announced that the ribbon cutting ceremony is scheduled for later this week to officially open the Parkway.

26. EXPEDITIOUS PROCESSING REQUESTED FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-C-092-3 (HOSPITAL CORPORATION OF AMERICA) (CENTREVILLE DISTRICT) (TAPE 5)

Supervisor Pennino moved that the Board authorize the Department of Environmental Management (DEM) to process a Site Plan waiver request for the expansion of the Reston Hospital Center concurrently with the review and processing of Special Exception Amendment Application SEA 84-C-092-3 filed by the Hospital Corporation of America. She stated that this action does not in any way commit the Board of Supervisors. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Supervisor McConnell being out of the room.

27. EXPEDITIOUS PROCESSING REQUESTED FOR SPECIAL EXCEPTION AND REZONING APPLICATIONS TO EXPAND FACILITIES FOR GENERAL ELECTRIC AND THE DEFENSE MAPPING AGENCY (CENTREVILLE DISTRICT) (TAPE 5)

Supervisor Pennino stated that Mulligan/Griffin Properties, located on Sunrise Valley Drive, is currently developed for facilities for General Electric and the Defense Mapping Agency. There are plans to expand this facility and, in order for this development to be consistent with the Zoning Ordinance, Rezoning and Special Exception Applications are necessary. She moved that the Board:

- Direct staff to expedite a Rezoning Application from the I-4 District to the C-3 District and a Special Exception Application for the establishment for scientific research and development for this property located at Tax Map Reference 17-3 ((1)) 7A, 7C, and 7E, Centreville District; and
- Direct the Director of the Department of Environmental Management (DEM) to simultaneously process the Site Plan for a parking structure.

Supervisor Pennino stated that it is understood that this is done at the applicant's own risk and no rights will be acquired by this action. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Alexander, Supervisor Bulova, Supervisor Davis, and Supervisor McConnell being out of the room.

28. RECYCLING IN THE WORKPLACE (TAPE 5)

Supervisor Pennino called to the Board's attention a letter that she had received from Burwell Gunn, Chairman of the Board, Fairfax County Chamber of Commerce, expressing appreciation to the Board of Supervisors for taking a realistic approach to instituting recycling in the business community. She stated that Mr. Gunn expressed grave concern that most County businesses do not realize that the County has a Recycling Office and he urged that the primary focus of the County's Recycling staff be to educate the business community on recycling in the workplace.

Supervisor Pennino stated that County staff has recently formed a business and industry recycling task force to act as an assistant group for Fairfax County businesses endeavoring to establish recycling programs. She asked unanimous consent that the Board direct staff to contact Mr. Gunn and work closely with the Fairfax County Chamber of Commerce on the issue of educating the business community on recycling in the workplace. Without objection, it was so ordered.

29. APPRECIATION EXPRESSED TO J. HAMILTON LAMBERT, COUNTY EXECUTIVE, FOR HIS MANY YEARS OF DEDICATED SERVICE TO FAIRFAX COUNTY GOVERNMENT (TAPE 5)

(Verbatim)

Supervisor Hanley announced, with great sadness, that today's meeting is the last meeting that J. Hamilton Lambert will attend in his capacity as County Executive.

Following individual comments and presentations by Board Members, Supervisor Richards announced that a "Salute to Jay" is scheduled for January 31, 1991 and that invitations will be mailed to all Fairfax County government employees.

Chairman Moore announced that a reception will be held on Friday, December 21, 1990 from 4:00 p.m. until 6:00 p.m. in the Judicial Center and she invited all County employees and interested persons to attend the reception to say farewell to the County Executive.

Following further comments by Board Members, a "class picture" was taken.

30. ENDORSEMENT OF RECOMMENDED LEE HIGHWAY/
GALLOWES ROAD INTERCHANGE CONCEPT
(PROVIDENCE DISTRICT) (TAPE 5)

Supervisor Hanley stated that at the Board of Supervisors' meeting held on October 29, 1990, the Board considered Action Item One concerning the approval of the grade-separated interchange concept for the intersection of Lee Highway/Gallows Road. Because she had several questions regarding the utilization of the remaining bond funds, the Board deferred action on this item at her request.

At the Board of Supervisors' meeting held on November 26, 1990, Supervisor Hanley followed-up on the item with a list of questions concerning the bond funds to be addressed by staff.

As a result of further discussions with staff, Supervisor Hanley moved that the Board endorse the conceptual design study as presented on October 29, 1990 (Action Item One), but continue to defer decision on the transfer of unused funds until staff reports to the Board with responses to her questions raised on November 26, 1990. This motion was seconded by Supervisor Pennino.

Following Board discussion, with input from J. Hamilton Lambert, County Executive, the question was called on the motion which carried by a vote of eight, Supervisor Alexander being out of the room.

31. CONCURRENT PROCESSING REQUESTED FOR JEFFERSON
PARK WITH REZONING APPLICATION RZ 90-P-060
(PROVIDENCE DISTRICT) (TAPE 5)

Supervisor Hanley moved that the Board direct staff to concurrently process the Site Plan review for Jefferson Park with Rezoning Application RZ 90-P-060. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor Alexander being out of the room.

32. INTENT TO DEFER PH ON REZONING APPLICATION
RZ 89-P-084 (ANTONIO N. DIAS) (PROVIDENCE
DISTRICT) (TAPE 5)

Supervisor Hanley announced her intent to defer, at the appropriate time later in the meeting, the public hearing on Rezoning Application RZ 89-P-084 until January 14, 1991 at 3:30 p.m.

(NOTE: Later in the meeting, action was taken to defer the public hearing. See Clerk's Summary Item CL#102.)

33. INTENT TO DEFER PH ON SPECIAL EXCEPTION
APPLICATION SE 90-P-029 (FRANCES L. ADAMS)
(PROVIDENCE DISTRICT) (TAPE 5)

Supervisor Hanley announced her intent to defer, at the appropriate time later in the meeting, the public hearing on Special Exception Application SE 90-P-029 until February 11, 1991 at 4:00 p.m.

(NOTE: Later in the meeting, action was taken to defer the public hearing. See Clerk's Summary Item CL#101.)

34. APPRECIATION EXPRESSED TO MENA LOCKWOOD,
ASSISTANT RESIDENT ENGINEER, VIRGINIA
DEPARTMENT OF TRANSPORTATION (VDOT)
(TAPE 5)

Supervisor Hanley expressed her appreciation to Mena Lockwood, Assistant Resident Engineer, Virginia Department of Transportation (VDOT), for her outstanding performance in working with the members of Cedar Forest Homeowners Association to install a sidewalk along Cedar Lane from the existing sidewalk at Labbe Lane to Electric Avenue.

35. STAFF TO NOTIFY BOARD MEMBERS WHEN BUDGET
CONSTRAINTS AFFECT COUNTY PROGRAMS (TAPE 5)

Supervisor Hanley called to the Board's attention the fact that budget constraints have caused changes in programs offered by the Department of Recreation and Community Development. She stated that the fees for the afternoon recreation programs have been raised to \$50 per participant. She stated that there are children who need to be in these afterschool programs, however, cannot afford the increased fee.

Accordingly, Supervisor Hanley asked unanimous consent that the Board direct staff to:

- Develop a process to notify the Board of Supervisors when budget constraints are causing policy or fee changes and to notify the general public prior to these changes occurring; and
- Determine whether there is a provision for waiving fees for children whose families cannot afford the cost, and if there is not a provision, include the provision in the process.

Without objection, it was so ordered.

36. BOARD SUPPORT TO INCLUDE SUPPLEMENTAL FUNDING FOR THE REVISED STATE BUDGET TO COVER THE SHORTFALLS IN MEDICAID FUNDING FOR COMMUNITY SERVICES BOARDS (CSBs) (TAPE 5)

Supervisor Hanley called to the Board's attention a memorandum addressed to Verdia Haywood, Deputy County Executive for Human Services, from James A. Thur, Executive Director, Fairfax-Falls Church Community Services Board, regarding Statewide projections for Medicaid revenues based on actual billing data.

Mr. Thur's memorandum briefly outlined that because of the increasingly restrictive interpretations of Medicaid regulations and the fact that community services boards (CSBs) do not participate in the initial review estimates, it is now apparent that the Statewide shortfall of funding for CSBs is at least \$20 million for the current biennium. Locally, a shortfall is expected in Medicaid revenues of approximately \$1.5 million for Fiscal Year (FY) 1991 and a similar amount for FY 1992. The Governor's Budget Office, which participated in constructing the overly optimistic revenue projects currently reflected in the State budget, is supportive of submitting a request for supplemental funding for CSBs. At this point, it is essential that the Governor hear directly from as many local jurisdictions as possible. All CSBs have been requested to contact their local jurisdictions and obtain a letter of support.

Accordingly, Supervisor Hanley moved that the Board endorse the draft letter of support to be forwarded to the Governor expressing Fairfax County Board of Supervisors' interest in including supplemental funding for the revised State budget to cover the shortfalls in Medicaid funding for the CSBs. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor Alexander being out of the room.

AR:AR

37. OFF-CAMPUS HOUSING (TAPE 6)

Supervisor Bulova stated that during the past few months, she and her staff have been meeting with officials from George Mason University (GMU), the Police Department, and representatives from the communities surrounding GMU to discuss students living off-campus in rented homes. She stated that sometimes students' lifestyles are not compatible with those of their neighbors and the problem was especially acute this past September during "rush week" because several locations were being used as fraternity houses.

Supervisor Bulova called to the Board's attention the fact that a number of actions have been initiated that will partially address this issue. As a means of promoting greater cooperation and communication, GMU has agreed to initiate meetings every Spring and Fall with the Council of Fraternities and Sororities, the Fairfax County Police Department, the Zoning Enforcement Division, and community representatives. GMU will also contact the National Chapters as well as local alumnae to get their support for encouraging local Chapters to be better neighbors. One fraternity, Kappa Sigma, has already taken very responsible steps to ensure that their activities will not disturb their neighbors.

Supervisor Bulova noted that the Police Department has emphasized to neighbors the importance of calling the police as soon as a party gets underway. Captain T.J. Bowen, Commander, West Springfield District Police Station, has recently had successful convictions using sections of the State and County Code that relate to common nuisances.

Supervisor Bulova stated that, while this is a relatively new and growing problem for those who live near GMU, other areas of the Commonwealth where communities co-exist with large universities have been dealing with this issue for some time. She stated that some jurisdictions require landlords to obtain permits or further restrict the number of unrelated persons who can occupy a dwelling.

Accordingly, Supervisor Bulova moved that the Board direct the staff of the Zoning Enforcement Division to contact other jurisdictions in the Commonwealth where large universities are situated in residential areas and report to the Board with potential measures for dealing with problems associated with off-campus student housing. This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room.

Supervisor McConnell voiced her concern over this very serious problem in certain neighborhoods of the County, and also acknowledged the cooperation of the Police Department in dealing with this issue.

38. POLLING PLACES ON ELECTION DAY (TAPE 6)

Supervisor Bulova stated that she had received many complaints from constituents who are angry about the long lines at polling places on Election Day. Several individuals who had waited for approximately an hour at Woodson High School and North Springfield Elementary School had not been able to wait any longer and had left without voting.

Supervisor Bulova stated that she understands that some of the wait may have been because of the many questions on the ballot. At other locations, there may have been logistical problems such as construction that was underway in the schools. The parking at North Springfield Elementary School had also been exacerbated because teachers were having a work day.

Accordingly, Supervisor Bulova asked unanimous consent that the Board direct staff to investigate the issue of "bottlenecks" at polling places and take the necessary steps to avoid future problems that would cause individuals to leave polling places prior to voting because of long lines. Without objection, it was so ordered.

At the request of Supervisor Pennino, Supervisor Bulova amended her request to include referring this matter to the Legislative Subcommittee for consideration of an amendment to the State law which would allow the polls to stay open one hour later in order to allow commuters arriving home late an opportunity to vote. Without objection, the request, as amended, was so ordered.

39. REQUEST FOR SUPPORT OF WAIVER NUMBER 011025
CONCERNING LOTS ON PAYNE STREET (TAPE 6)

Supervisor Davis stated that he was in receipt of a letter from the President of the Glen Forest Community Association, and the Chairman of the Land Use Subcommittee of the Bailey's Revitalization Task Force requesting support of Waiver Number 011025 concerning Lots Number 36 and Number 37 on Payne Street.

With a notation that the builder is willing to reduce the allowed density and build houses more in keeping with the single family neighborhood, Supervisor Davis moved that the Board direct staff to support this proposal and approve Waiver Number 011025. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Alexander and Chairman Moore being out of the room.

40. TAX-EXEMPT STATUS FOR RECREATION ASSOCIATIONS (TAPE 6)

Supervisor Davis called the Board's attention to the recent rise in assessment rates for some of the recreation associations in Fairfax County. He noted, in particular, that the assessment rate for the Greater Annandale Recreation Center, which fronts Route 236 in a commercial area, has really skyrocketed this year and the Center is in danger of having to close its doors if something isn't done to alleviate this problem. He suggested that a solution to this problem might be to consider giving tax-exempt status to some of the 501C Recreation Associations.

Noting that he is convinced that this needs to be done on a limited basis in order to preserve this much-needed source for recreational activity in Fairfax County, Supervisor Davis moved that the Board refer this situation to staff for its review and recommendations regarding the authorization of a public hearing to be held in January of 1991 to address a tax-exemption for the Greater Annandale Recreation Center.

The motion was seconded by Supervisor Pennino, who asked that the motion be amended to include a request that staff:

- Review the number of groups throughout the County which would become eligible for such an exemption should this precedent be established; and
- Determine the costs to the County should these exemptions be authorized.

This amendment was accepted.

Following discussion, with input from Michael H. Long, Assistant County Attorney, the question was then called on the motion, as amended, which carried by a vote of eight, Supervisor Alexander being out of the room.

41. ANNUAL FIRE INSPECTIONS FOR CHURCHES (TAPE 6)

Supervisor Davis called the Board's attention to his request two weeks ago that staff return today with a Consideration Item regarding the annual fire inspections of churches presently required under the State Code.

Noting the absence of this item on today's Board Agenda, Supervisor Davis moved that the Board direct staff to provide as expeditiously as possible, preferably before the Board adjourns today, information which

was previously requested by the Board on this issue. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor Alexander being out of the room.

42. ADDITIONAL SCHOOL AGE CHILD CARE (SACC)
CLASSROOM FOR BAILEY'S ELEMENTARY SCHOOL
(TAPE 6)

Supervisor Davis stated that a problem has developed at the Bailey's Elementary School concerning the additional School Age Child Care (SACC) classroom at Bailey's Elementary School. He stated that a previous request for this additional SACC classroom was not authorized. However, a problem has developed whereby an average of 20 children are dropped off as early as 6:45 a.m. each school morning with no room for them.

Since this school is located in the Culmore area which has a large number of foreign-speaking residents who desperately need this service, Supervisor Davis asked unanimous consent that the Board direct the Office for Children to once again review this situation to see if an additional SACC classroom can be established at Bailey's Elementary School.

Supervisor Davis added that he would like for this item to be considered at the mid-year budget review on January 14, 1991.

Without objection, it was so ordered.

Verdia L. Haywood, Deputy County Executive for Human Services, stated that some relief may be in sight for this situation as a result of a recent decision for the Department of Recreation to come into the school with an early morning program, similar to Recreation's after school activity program.

43. RESCHEDULING OF PUBLIC HEARINGS TO
RECEIVE CITIZEN COMMENT ON ISSUES OF
CONCERN (TAPES 6-7)

- (P) Looking ahead into next year, Supervisor Davis moved that the Board direct staff to amend the schedule for the public hearings to receive citizen comment on issues of concern in order that they are held quarterly, instead of monthly, and that the number of speakers for this quarterly public hearing be set at 15. This motion was seconded by Supervisor Alexander.

Supervisor Pennino moved a substitute motion that the Board direct staff to eliminate entirely, from election year 1991, all of the public hearings to receive citizen comment. She noted that next year is an election year, and with an open mike, candidates and those with special

interests will be signing up to speak, which will turn the Fairfax County government process into a political process. This motion was seconded by Supervisor Alexander for the purpose of discussion.

Following discussion, Supervisor Bulova moved a substitute to the substitute motion that the Board direct staff to continue to schedule the public hearings for citizen comments on a monthly basis, with the understanding that during the period of July 1, 1991, through Election Day in November 1991, these hearings will not be held. This motion was seconded by Chairman Moore.

Following further discussion, the question was called on the substitute to the substitute motion (Supervisor Bulova's), which FAILED by a recorded vote of five, Supervisor Bulova, Supervisor Hanley, Supervisor Hyland, and Chairman Moore voting "AYE."

The question was then called on the substitute motion (Supervisor Pennino's) to cancel all public hearings for citizen comment during election year, which FAILED by a recorded vote of seven, Supervisor Alexander and Supervisor Pennino voting "AYE."

The question was then called on the main motion (Supervisor Davis's) to schedule the public hearings for citizen comment on a quarterly basis, with 15 speakers as the total number allowed, which CARRIED by a recorded vote of seven, Supervisor Bulova and Supervisor Richards voting "NAY."

PMH:PMH

44. PERSONAL PROPERTY TAX FOR VAN POOLS (TAPE 7)

Supervisor McConnell stated that earlier this year the Board of Supervisors approved the reduction of the personal property tax rate for van pools in an effort to encourage and stimulate their formation. She added that other jurisdictions in Northern Virginia did the same.

Supervisor McConnell said that she met last week with a Mr. John Link who organized two van pools. She stated that he owns three vans, two of which operate daily and one as a backup. Mr. Link is incorporated for tax and liability purposes, and also runs several van pools in Prince William County.

Supervisor McConnell explained that Mr. Link recently received his tax bills for Fairfax and Prince William Counties. In Prince William County he received the reduced van pool tax rate. However, Fairfax County taxed at the regular personal property tax rate of \$4.57.

Therefore, Supervisor McConnell asked unanimous consent that the Board direct staff to explain why Mr. Link's vanpools are not being taxed at the reduced van pool rate. Without objection, it was so ordered.

45. REZONING APPLICATION RZ 89-S-064 REMANDED
BACK TO THE PLANNING COMMISSION (TAPE 7)

Supervisor McConnell moved that the Board remand Rezoning Application RZ 89-S-064 back to the Planning Commission for rehearing on April 25, 1991. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Davis, Supervisor Hanley, and Supervisor Richards being out of the room.

46. APPOINTMENT TO THE TREE COMMISSION (TAPE 7)

(APPT)

Supervisor McConnell moved the appointment of Mr. David Finley as the Springfield District Representative to the Tree Commission to fill the unexpired term of Ms. Patricia J. Beck. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander and Supervisor Richards being out of the room.

47. APPOINTMENT TO THE HOUSING ASSISTANCE
ADVISORY COMMITTEE (TAPE 7)

(APPT)

Supervisor McConnell moved the appointment of Mr. John L. Stone, Jr. as the Springfield District Representative to the Housing Assistance Advisory Committee to fill the unexpired term of Mr. Lawrence Whitener. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor Davis being out of the room.

48. IMPROVEMENTS TO POHICK ROAD (ROUTE 641) (TAPE 7)

Supervisor McConnell stated that at the Board of Supervisors meeting held on December 3, 1990 she made a motion which the Board accepted to direct staff to take whatever action is necessary to reduce the size of the sidewalk from eight feet to six feet along Pohick Road.

Supervisor McConnell moved to clarify the motion as follows: That the trail be reduced from six feet only in the vicinity of the Laurelwood and Covered Bridge communities. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Davis and Supervisor Richards being out of the room.

49. "TEN WAYS TO TURN THE DISTRICT OF COLUMBIA (D.C.) AROUND" (TAPE 7)

Supervisor McConnell distributed to Board Members an article appearing in the December 9, 1990 edition of The Washington Post entitled, "Ten Ways to Turn the District of Columbia (D.C.) Around." She moved that the Board direct staff to contact David Osborne, the writer of the article, to invite him to appear before the Board to discuss the article's outstanding ideas. This motion was seconded by Supervisor Bulova.

Supervisor Bulova asked that the motion be amended to invite Mr. Osborne to address the Board's Budget Subcommittee, and this was accepted.

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

JLD:JLD

50. ADMINISTRATIVE ITEMS (TAPE 8)

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

Supervisor Pennino asked that the motion be amended to pull for separate consideration Administrative Item Three, and this was accepted.

Supervisor Hyland asked that the motion be amended to pull for separate consideration Administrative Item Two, and this was accepted.

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

(NOTE: Immediately following the Administrative Items, action was taken on Administrative Item Two - See Clerk's Summary Item CL#51 and Administrative Item Three - See Clerk's Summary Item CL#52.)

ADMIN 1 - ADVERTISEMENT FOR A PUBLIC HEARING TO AMEND THE CURRENT APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 1991 REVISED BUDGET PLAN

- (A) (NOTE: Earlier in the meeting, the Board discussed this item and various actions were taken to request staff to provide additional information at the time of Mid-year Review. See Clerk's Summary Item CL#14.)

Authorized the advertisement of a public hearing to be held before the Board of Supervisors on January 14, 1991 at 10:00 a.m. to increase the Fiscal Year (FY) 1991 appropriation level. The advertisement encompasses both the County and the School's Midyear Reviews. Section 15.1-162.1 of the Code of Virginia requires that a public hearing be held prior to Board action.

ADMIN 2 - AUTHORIZATION TO ADVERTISE THE PROPOSED AMENDMENTS TO THE LEASE AGREEMENT BETWEEN THE BOARD OF SUPERVISORS AND FAIRFAX HOSPITAL SYSTEM/INOVA

(NOTE: Immediately following the Administrative Items, action was taken on Administrative Item Two - See Clerk's Summary Item CL#51.)

ADMIN 3 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 82-C-063-1, AAL PARTNERSHIP (CENTREVILLE DISTRICT)

(NOTE: Immediately following the Administrative Items, action was taken on Administrative Item Three - See Clerk's Summary Item CL#52.)

ADMIN 4 - PROPOSED INSTALLATION OF "NO PARKING" SIGNS ALONG GORHAM STREET (MASON DISTRICT)

- (R) Adopted the Resolution prohibiting parking on the west side of Gorham Street and within 20 feet of the driveways on the east side of Gorham Street, between Seminary Road and Gorham Street, and further directed staff to install the "No Parking" signs along the subject roadway section upon approval by the Virginia Department of Transportation (VDOT).

ADMIN 5 - AUTHORIZATION TO ADVERTISE: JOINT PUBLIC HEARING BY THE BOARD OF SUPERVISORS AND THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) ON THE COMMUNITY REDEVELOPMENT BLOCK GRANT PROPOSED STATEMENT OF OBJECTIVES AND PROJECTED USE OF FUNDS FOR FISCAL YEAR (FY) 1992 (PROGRAM YEAR 17)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on February 25, 1991 at 8:00 p.m. regarding a joint public hearing by the Board of Supervisors and the Fairfax County Redevelopment and Housing Authority (FCRHA) on the proposed Community Block Development Grant (CBDG) Statement of Community Development Objectives and Projected Use of Funds for Fiscal Year 1992 (PY17) and proposed reprogramming, if any, of prior years' CBDG funds.

ADMIN 6 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE CONVEYANCE OF COUNTY-OWNED PROPERTY TO THE FRANCONIA VOLUNTEER FIRE DEPARTMENT, INCORPORATED (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on January 14, 1991 at 5:00 p.m. regarding the conveyance of County-owned property Tax Map 81-3-05-0020-A, in exchange for properties identified by Tax Map 81-3-05-0002-C and Tax Map Number 81-3-08-0503 and directed staff to notify adjacent landowners of the public hearing by certified mail.

ADMIN 7 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF A CERTAIN DEDICATION AND EASEMENTS NECESSARY FOR THE CONSTRUCTION OF THE POHICK ROAD "S" CURVE IMPROVEMENT (SPRINGFIELD AND MOUNT VERNON DISTRICTS)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on January 14, 1991 at 5:00 p.m. on the acquisition of interests in real property necessary for Project 064132 - Pohick Road "S" Curve Improvement.

ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF A CERTAIN DEDICATION AND EASEMENTS NECESSARY FOR THE IMPROVEMENT OF THE INTERSECTION AT OX ROAD/CLIFTON ROAD/BURKE LAKE ROAD (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on January 14, 1991 at 4:30 p.m. on the acquisition of interests in real property necessary for County Road Project 006607 - Intersection at Ox Road/Clifton Road/Burke Lake Road.

ADMIN 9 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE ROUTE 7 TO DULLES TOLL ROAD SEGMENT OF THE FAIRFAX COUNTY PARKWAY (CENTREVILLE AND DRANESVILLE DISTRICTS AND THE TOWN OF HERNDON)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on January 14, 1991 at 4:00 p.m. on the acquisition of interests in real property necessary for the Route 7 to Dulles Toll Road segment of the Fairfax County Parkway.

ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF DEDICATIONS AND EASEMENTS NECESSARY FOR THE VILLA STREET ROAD IMPROVEMENT PROJECT (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on January 28, 1991 at 5:00 p.m. on the acquisition of land rights necessary for the construction of Project V00000 - Villa Street.

ADMIN 11 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE MOUNT VERNON MANOR COMMUNITY PLAN (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on January 28, 1991 at 5:00 p.m. regarding the Mount Vernon Manor Community Plan.

51. ADMIN 2 - AUTHORIZATION TO ADVERTISE THE PROPOSED AMENDMENTS TO THE LEASE AGREEMENT BETWEEN THE BOARD OF SUPERVISORS AND FAIRFAX HOSPITAL SYSTEM/INOVA (TAPE 8)

- (A) Supervisor Hyland stated that the County Attorney and counsel for the Fairfax Hospital System (FHS) have been reviewing the issue regarding Board Members who hold seats on the Hospital Board and the respective duties in connection with representation on both the Board of Supervisors and the Hospital Board. He stated that there is a question of whether there is conflict with an individual holding seats on both Boards in view of the present structure of duties on both Boards. Because of that issue he stated, for the record, that he would be abstaining from action on this matter.

Supervisor Hyland requested staff to explore within the lease, as well as within the current Bylaws of FHS and INOVA, a circumstance in which continued public representation on those Boards by Members of the Board of Supervisors can be accomplished, notwithstanding the language of the current lease that allows Board Members citizen representation, to include if necessary, a situation whereby there would be representation without vote. He stated that this would ensure that Members of the Board of Supervisors can continue to exercise an oversight responsibility in connection with the Hospital System.

Supervisor Hanley moved that the Board concur in the recommendation of staff and authorize the advertisement of a public hearing to be held before the Board of Supervisors on January 14, 1991 at 5:00 p.m. regarding the proposed amended Agreement with Fairfax Hospital System (FHS)/INOVA and directed staff to notify adjacent landowners of the public hearing. This motion was seconded by Supervisor Pennino.

Supervisor Alexander noted that the two Board Members holding seats on the Hospital Board have, at the recommendation of the County Attorney, submitted their resignations to the Hospital Board and are now free to vote on this matter without any encumbrances. In connection with Supervisor Hyland's request to explore the lease and the current Bylaws, Supervisor Alexander suggested that staff consider a "Board Liaison Committee" to the Hospital Board whereby Board Members would serve as non-voting "liaison" members with the authority to appoint other voting citizens.

Following discussion, with input from David Stitt, County Attorney, and J. Hamilton Lambert, County Executive, Supervisor Hyland clarified, for the record, that he is disqualifying himself from this particular vote, with the understanding that staff will report to the Board in the future on the issues raised by both Supervisor Alexander and himself.

The question was called on the motion which carried by a vote of seven, Supervisor Hyland disqualifying himself from the vote, Supervisor Davis being out of the room.

52. ADMIN 3 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION
FOR SPECIAL EXCEPTION AMENDMENT APPLICATION
SEA 82-C-063-1, AAL PARTNERSHIP (CENTREVILLE
DISTRICT) (TAPE 8)

(ET) Following a brief summary regarding the background of Special Exception Amendment Application, Supervisor Pennino moved that the Board grant the request for 18 months of additional time to commence construction for Special Exception Amendment Application SEA 82-C-063-1 pursuant to the provisions of Section 9-015 of the Zoning Ordinance. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Davis and Supervisor McConnell being out of the room.

53. A-1 - MODIFICATIONS TO THE MASTER DEVELOPMENT
AGREEMENT FOR THE GOVERNMENT CENTER PROJECT
PROPOSED BY THE SMITH/ARTERY PARTNERSHIP
(TAPE 8)

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

- Approve, in concept, the Smith/Artery Partnership proposal as presented in Enclosure One as contained in the Memorandum to the Board dated December 10, 1990;

- Authorize County staff to finalize any details and prepare the necessary documents and modifications to the existing Master Development Agreement; and
- Direct staff to submit the proposed changes to the Board of Supervisors for final approval in January.

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

Following Board discussion regarding the terms of the agreement, the question was called on the motion which carried by a vote of eight, Chairman Moore abstaining because she did not vote for this concept in the first place.

54. A-2 - METROPOLITAN COUNCIL OF GOVERNMENTS (COG)
CONTRIBUTION FOR TECHNICAL SERVICES - I-95
LANDFILL EXPANSION - ENVIRONMENTAL STUDY
(MOUNT VERNON DISTRICT) (TAPE 8)

Supervisor Hyland moved that the Board defer action until January 14, 1991 to allow him additional time, as the Chairman of the Board's Environmental Subcommittee, to meet with representatives from the Citizens Advisory Council (CAC), Environmental Quality Advisory Council (EQAC), and COG, to ensure their involvement in the process. This motion died for lack of a second.

Following discussion, with input from John diZerega, Director, Department of Public Works, Supervisor Pennino moved that the Board concur in the recommendation of staff and approve the contribution amendment to the Metropolitan Council of Governments (COG) to include technical services related to the I-95 Landfill Expansion Environmental Study, with the understanding that if amendments are needed to the scope of work in the future, additional funds can be appropriated. This motion was seconded by Supervisor Alexander and carried by a recorded vote of five, Supervisor Davis, Supervisor Hyland, Supervisor McConnell, and Chairman Moore voting "NAY."

55. A-3 - APPEAL OF 456-C90-38, MONROE STREET
SOUTHEAST COMMUTER PARK-AND-RIDE LOT
(CENTREVILLE DISTRICT) (TAPE 8)

(LEGAL)

On motion of Supervisor Richards, seconded by Supervisor Pennino, and carried by unanimous vote, the Board concurred in the recommendation of staff and upheld the Planning Commission's action and DENIED the appeal

by the GTE Realty Corporation Application 456-C90-38 to locate a commuter park-and-ride lot on approximately 8.5 acres east of Monroe Street and south of the Dulles Access/Roll Road, Property Map Number 16-4 ((1)) 14A, 15, 16A and 27, Centreville District.

56. A-4 - APPEAL OF 456-C90-39, MONROE STREET
SOUTHWEST COMMUTER PARK-AND-RIDE LOT
(CENTREVILLE DISTRICT) (TAPE 8)

(LEGAL)

On motion of Supervisor Richards, seconded by Supervisor Pennino, and carried by unanimous vote, the Board concurred in the recommendation of staff and DENIED the appeal by Woodland Park Associates Limited Partnership, and upheld the original decision of the Planning Commission's approval of Application 456-C90-39 to locate a commuter park-and-ride lot on approximately 6.6 acres west of Monroe Street and south of Dulles Access/Roll Road, Property Map Reference 16-4 ((1)) 4, 5, 6, 7 and 8, and 16-3 ((1)) Part of 25, Centreville District.

57. A-5 - REVISED INITIAL CONSTRUCTION LIMITS
FOR WIEHLE AVENUE, PROJECT NUMBER 6495
(DRANESVILLE AND CENTREVILLE
DISTRICTS) (TAPE 8)

Supervisor Richards moved that the Board concur in the recommendation of staff and revise the construction limits approved by the Board on October 15, 1990 for Wiehle Avenue, with the following *modification*:

Delete Bullet Four:

- Complete grading and clearing of Wiehle Avenue from Dranesville Road to Reston Avenue."

Staff Recommendation (as modified):

- Complete final design for Wiehle Avenue as a four lane divided roadway from Dranesville Road to Reston Avenue;
- Complete land acquisition for the entire length of the project from Dranesville Road to Reston Avenue;
- Construct the proposed improvements to Dranesville Road; and

- Return to the Board for consideration for construction funding between Dranesville Road and Reston Avenue as additional funds become available.

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

58. A-6 - VIRGINIA DEPARTMENT OF TRANSPORTATION PROJECT FOR ROUTE 7 IMPROVEMENTS FROM SEVEN CORNERS TO BAILEY'S CROSSROADS (MASON DISTRICT) (TAPE 8)

Supervisor Davis moved that the Board defer action until January 28, 1991, on the Virginia Department of Transportation (VDOT) plans for the widening of Route 7 between Bailey's Crossroads and Seven Corners, as presented at the October 23, 1990 public hearing, including provisions for a five foot sidewalk along the south side of Route 7 and an eight foot trail along the north side of Route 7 to allow additional time for staff to accommodate the issues raised at the public hearing. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

59. A-7 - ROUTE 7/RESTON PARKWAY INTERCHANGE (CENTREVILLE AND DRANESVILLE DISTRICTS) (TAPE 8)

On motion of Supervisor Pennino, seconded by Supervisor Hyland, and carried by a vote of seven, Supervisor Alexander and Supervisor Davis being out of the room, the Board concurred in the recommendation of staff and endorsed the diamond interchange concept developed for the intersection of Reston Parkway/Route 7, so that the right-of-way can be requested from Reston Land Corporation, Centreville and Dranesville Districts.

60. A-8 - AUTHORIZATION TO PAY FISCAL YEAR (FY) 1991 THIRD QUARTER TRANSIT OPERATING SUBSIDY TO WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) (COUNTYWIDE) (TAPE 8)

- (R) On motion of Supervisor Hanley, seconded by Supervisor Bulova, and carried by a vote of eight, Supervisor Davis being out of the room, the Board concurred in the recommendation of staff and adopted the Resolution authorizing payment of the Fiscal Year (FY) 1991 third quarter transit operating and capital assistance subsidy billing in the amount of \$10,395,653.

61. A-9 - ANNUAL ADJUSTMENT OF RATE OF PARTICIPATION
IN FAIRFAX CENTER AREA ROAD FUND ACCOUNT
(ANNANDALE, CENTREVILLE, PROVIDENCE AND
SPRINGFIELD DISTRICTS) (TAPE 8)

On motion of Supervisor Hanley, seconded by Supervisor Pennino, and carried by unanimous vote, the Board concurred in the recommendation of staff and revised the rate of participation in the Fairfax Center Area Road Fund by increasing the rate 2.2 percent, from \$3.88 to \$3.97 per gross square foot of non-residential building structure and from \$864 to \$883 per residential unit, effective January 1, 1991.

62. A-10 - AUTHORIZATION FOR CONDEMNATION OF CERTAIN
LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF A
SANITARY SEWER FOR SENECA PLACE I AND II
(DRANESVILLE DISTRICT) (TAPE 8)

(R) On motion of Supervisor Richards, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the necessary legal proceedings to acquire land rights necessary for the construction of a sanitary sewer for Seneca Place I and II, Parcel located at 11622 Leesburg Pike, Dranesville District.

63. A-11 - BOARD APPROVAL OF THE 1991 GYPSY MOTH
SUPPRESSION PROGRAM (TAPE 8)

(VERBATIM)

Supervisor Hyland moved that the Board concur in the recommendation of staff and approve the following actions concerning Fairfax County's 1991 Gypsy Moth Suppression Program:

- Approve additional Gypsy Moth Program funding in the amount of \$261,585 in order to treat 35,262 acres in the County in 1991 using Bt and Dimilin (R) according to established biological criteria;
- Direct the reassignment of 50 County personnel from their permanent agencies to the Gypsy Moth Office on a project dedicated basis for the duration of the 1991 treatment operation;
- Direct selected County agencies, in coordination with the Equipment Management Transportation Agency (EMTA) and the Division of Communications, to provide 40 vehicles (existing County or privately

owned vehicles) and radios to the Gypsy Moth Office on a project dedicated basis for the duration of 1991 treatment operations;

- Direct selected County agencies to provide a total of eight personnel to the Gypsy Moth Office on a project dedicated basis from August 15 to September 19, 1991 to assist with detection operations for the 1992 treatment program;
- Approve a five year continuation of four project exempt positions within the Gypsy Moth Office that are now funded until the end of 1991; and
- Rescind the requirement to individually notify landowners whose properties would not be treated by the County.

This motion was seconded by Supervisor Alexander.

After relinquishing the Chair to Vice-Chairman Pennino, Supervisor Moore asked that the motion be amended to include the addition of this item in the Mid-year Review.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

Supervisor Hanley moved that the motion be amended that the Board include this item in the parameters of the existing Consideration Items. The funding parameters of the Consideration Items would not be expanded, however, other Consideration Items reduced. The seconder to this motion was inaudible, however, it was accepted as the main motion.

Chairman Moore requested staff to report on potential sources of funds and cutbacks.

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

Supervisor Hanley clarified that the intent of the motion had been to give staff the authority to move forward as requested.

Supervisor Davis asked unanimous consent that the Board direct staff to prepare a Verbatim Transcript of the Board's discussion on this item. Without objection, it was so ordered.

64. A-12 - DEPARTMENT OF COMMUNITY ACTION (DCA) REQUEST TO APPROVE THE AGREEMENT BETWEEN FAIRFAX COUNTY AND THE NORTHERN VIRGINIA COMMUNITY FOUNDATION AND APPROVAL OF SUPPLEMENTAL APPROPRIATION RESOLUTION AS91028 FOR \$135,598 FOR THE MEDICAL CARE FOR CHILDREN PROJECT (TAPE 8)

(SAR) Supervisor Pennino moved that the Board concur in the recommendation of staff and:

- Approve the agreement between Fairfax County and the Northern Virginia Community Foundation to administer the endowment funds of the Department of Community Action (DCA) Medical Care for Children Project generated by the Harvard University/Ford Foundation Innovations Award as well as other private donations; and
- Approve Supplemental Appropriation Resolution AS 91028 to appropriate funding of \$135,598 currently held in reserve in Subfund 105, DCA for this project.

The seconder to this motion was inaudible.

Following Board discussion, with input from J. Hamilton Lambert, County Executive, the question was called on the motion which carried by unanimous vote.

65. A-13 - SUPPLEMENTAL APPROPRIATION RESOLUTION AS91031 FOR A PRIMARY CARE GRANT AWARDED TO THE HEALTH DEPARTMENT TO INCREASE TREATMENT CAPACITY AT THE COUNTY'S HEALTH CENTERS (TAPE 8)

(SAR) Supervisor Pennino moved that the Board concur in the recommendation of staff and approve Supplemental Appropriation Resolution AS 91031 in the amount of \$166,361 in State funds for Fiscal Year (FY) 1991 to appropriate the Primary Care Grant awarded by the Virginia Department of Health to increase the current annual treatment capacity of the two County health centers by 4,000 patient visits from 20,600 visits to 24,600 visits per year.

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

Supervisor Davis asked unanimous consent that the Board direct staff to contact him to schedule a meeting to discuss and review the data collected on non-documented population in the health centers. Without objection, it was so ordered.

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

66. A-14 - OFFICE FOR CHILDREN APPLICATION FOR VIRGINIA DEPENDENT CARE PLANNING AND DEVELOPMENT GRANT TO PRODUCE CURRICULUM AND TRAINING MATERIALS FOR SCHOOL-AGE CHILD CARE (SACC) PROGRAMS (TAPE 8)

On motion of Supervisor Pennino, seconded by Supervisor Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the submission of the application for a Virginia Dependent Care Planning and Development grant in the amount of \$10,000 for Fiscal Year (FY) 1991. The grant will support the operating costs associated with printing school-age child care curriculum materials, producing a training video and distributing the materials and video to child care centers in Fairfax County and throughout the State. A local match of 25 percent is required under the terms of the award. This requirement will be met through the use of existing program staff who will coordinate the grant activities.

67. A-15 - FAIRFAX COUNTY ACCEPTANCE AND PASS THROUGH OF OFFENDER AID AND RESTORATION VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES (VDCJS) GRANT (NO TAPE)

[NOTE: Earlier in the meeting, action was taken to approve Supplemental Appropriation Resolution AS 91030, for the acceptance and pass through of \$45,000 from the Virginia Department of Criminal Justice Service (VDCJS) to the Offender Aid and Restoration (OAR) State Committee for the establishment of other OAR office(s) in the State. See Clerk's Summary Item CL#13.]

68. A-16 - TESTIMONY BEFORE THE COMMISSION ON HEALTH CARE FOR ALL VIRGINIANS CONCERNING HEALTH INSURANCE INITIATIVES TARGETED TOWARD SMALL BUSINESSES (TAPE 8)

Supervisor Hanley moved that the Board concur in the recommendation of staff and approve the testimony to be presented at the public hearing scheduled before the Commission on Health Care for All Virginians on Sunday, December 16, 1990.

Chairman Moore and Supervisor Hanley announced that they would be unable to attend the public hearing and it was the consensus of the Board that staff deliver the testimony.

Supervisor McConnell questioned whether any feedback had been received from the Fairfax County Chamber of Commerce. She stated that it was important that small businesses be aware of these health insurance initiatives that would be directly affecting their limited budgets and possibly be forcing them out of business or to hire only part-time employees. She further stated that the Board should be briefed on how these health insurance initiatives would affect small businesses.

Supervisor Hanley noted that the testimony for presentation at the public hearing addresses Supervisor McConnell's concerns.

Following discussion among Board Members, with input from J. Hamilton Lambert, County Executive, Supervisor Pennino seconded the motion.

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

69. A-17 - THE JEFFERSON MANOR SUMMARY OF EXISTING
CONDITIONS (LEE DISTRICT) (TAPE 8)

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

- Adopted the Resolution finding the Jefferson Manor Community eligible for conservation in accordance with Title 36 of the Code of Virginia, of 1950, as amended; and
- Directed the Fairfax County Redevelopment and Housing Authority (FCRHA) to prepare a Neighborhood Improvement Program and Conservation Plan for Jefferson Manor.

70. A-18 - AMENDMENT TO THE INDEMNIFICATION OF OFFICERS
AND EMPLOYEES RESOLUTION (TAPE 8)

(R) On motion of Supervisor Pennino, jointly seconded by Supervisor Alexander and Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the proposed amended Indemnification Resolution and the accompanying Appendix A as contained in the Memorandum to the Board dated December 10, 1990.

71. A-19 - EMERGENCY ESTABLISHMENT OF A RIGHT-OF-WAY AGENT POSITION IN THE FAIRFAX COUNTY PARK AUTHORITY (TAPE 8)

Following discussion, with input from J. Hamilton Lambert, County Executive, the maker of the motion to concur in the recommendation of staff and approve the emergency establishment of a Right-of-Way Agent position in the Fairfax County Park Authority to conduct property management, land encroachment and land acquisition matters was inaudible. The second to this motion was also inaudible.

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

72. A-20 - AMENDMENTS TO THE COUNTY'S CLASSIFICATION COMPENSATION PLANS - HUMAN SERVICES SERIES, VOLUNTEER SERVICES SERIES, AND LONG-TERM CARE OMBUDSMAN SERIES (TAPE 8)

Supervisor Davis moved to defer until January 14, 1991, action on the amendments to the County's Classification and Compensation Plans necessary to establish a new class series and abolish the existing Human Services Specialist class series. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

<u>CLASS TITLE</u>	<u>GRADE AND PAY RANGE</u>
Human Services Assistant	S-14 (\$22,818-\$35,317)
Human Services Coordinator I	S-16 (\$24,997-\$38,692)
Human Services Coordinator II	S-18 (\$27,399-\$42,410)
Human Services Coordinator III	S-20 (\$30,066-\$46,538)
Human Services Program Manager I	S-22 (\$33,013-\$51,099)
Human Services Program Manager II	S-24 (\$36,338-\$56,243)
Volunteer Services Coordinator I	S-18 (\$27,399-\$42,410)
Volunteer Services Coordinator II	S-20 (\$30,066-\$46,538)
Volunteer Services Program Manager	S-22 (\$33,013-\$51,099)
Long-Term Care Assistant Ombudsman	S-21 (\$31,543-\$48,823)
Long-Term Care Ombudsman	S-24 (\$36,338-\$56,243)

CM:CM

73. C-1 - BOARD CONSIDERATION OF THE 1991 REAPPORTIONMENT OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS (TAPE 9)

(BACs)
(RD)
(A)

The Board next considered an item contained in the Memorandum to the Board dated December 10, 1990 requesting Board consideration of the

requirements for the 1991 reapportionment of the governing body of Fairfax County and consideration of the procedures to be used in that undertaking.

Following discussion, Supervisor Pennino moved that the Board approve the staff recommendation. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

Supervisor Richards asked unanimous consent that the Board direct staff to send a copy of this item to the presidents of all Countywide organizations and that the time of the public hearing be added to the document prior to sending it. Without objection, it was so ordered.

74. C-2 - CHANGE TO THE FAIRFAX COUNTY PURCHASING RESOLUTION (TAPE 9)

- (R) The Board next considered an Item contained in the Memorandum to the Board dated December 10, 1990 requesting Board approval of a change to the Fairfax County Purchasing Resolution to permit the County to offer a 10 percent price differential for the purchase of recycled paper and paper products effective January 1, 1991.

Supervisor Hanley moved adoption of the revised Fairfax County Purchasing Resolution. This motion was seconded by Supervisor McConnell.

Following discussion, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and moved a substitute motion to defer this item until the mid-year budget review and that sources be identified to pay for the recycled paper. This motion was seconded by Supervisor Richards and FAILED by a recorded vote of five, Supervisor Davis, Supervisor Pennino, Supervisor Richards, and Chairman Moore voting "AYE."

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

Vice-Chairman Pennino returned the gavel to Chairman Moore.

75. C-3 - APPEAL OF SITE PLAN WAIVER NUMBER 10207 FOR THE SOVRAN BANK ADDITION AT 6808 OLD DOMINION DRIVE, MCLEAN, VIRGINIA (DRANESVILLE DISTRICT) (TAPE 9)

(LEGAL)

The Board next considered an Item contained in the Memorandum to the Board dated December 10, 1990 requesting Board consideration of an appeal of the County Executive's decision to uphold denial of Site Plan Waiver Number 10207 for the Sovran Bank at 6808 Old Dominion Drive, McLean, Virginia, by the Director of the Department of Environmental Management (DEM).

Supervisor Richards moved that the Board uphold the County Executive's decision to uphold denial by the Director of DEM of Site Plan Waiver Number 10207 for the Sovran Bank at 6808 Old Dominion Drive, McLean, Virginia, Dranesville District. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

76. C-4 - APPEAL OF A PROFFER INTERPRETATION FOR
PROFFERED CONDITION AMENDMENT APPLICATION
PCA 81-S-079 (SPRINGFIELD DISTRICT)
(TAPES 9-10)

(LEGAL)

The Board next considered an Item contained in the Memorandum to the Board dated December 10, 1990 requesting Board consideration of four separate appeals of a proffer interpretation filed pursuant to the provisions of Paragraph 10 of Section 18-204 of the Zoning Ordinance in conjunction with Proffered Condition Amendment Application PCA 81-S-079.

Following discussion, Supervisor McConnell moved that:

- The interpretation of the Director of the Zoning Evaluation Division, Office of Comprehensive Planning, dated August 13, 1990, be reversed; and
- The Board conclude that Proffer Nine (PCA 81-S-079-1) has been satisfied as two public street connections approved by the Department of Environmental Management (DEM) and the Virginia Department of Transportation (VDOT) have been made to the existing State highway system.

This motion was seconded jointly by Supervisor Davis and Supervisor Hyland and CARRIED by a recorded vote of eight, Chairman Moore voting "NAY."

Supervisor McConnell further moved that the Board direct DEM staff to expeditiously process Site Plan 7890-SP-012 (Coca Cola) and Site Plan 6877-SP-051-1 (Bowl America). This motion was seconded by Supervisor Pennino and carried by unanimous vote.

77. I-1 - FAIRFAX COUNTY PARKWAY (TAPE 10)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 10, 1990 presenting an update on the financial and project construction schedule issues related to the Fairfax County Parkway and requesting authorization for staff to take the following actions:

- Segment of Parkway from Pohick Road to Rolling Road, a distance of approximately 2.8 miles: Directed staff to advise the Virginia Department of Transportation (VDOT) to proceed with bid opening stage on this project with the assurance that the County will have funding necessary to proceed to contract award on this segment; in addition, directed the County Executive to execute the necessary agreements with VDOT on this project;
- Segment of Parkway from Dulles Toll Road to Sunset Hills Road: Directed staff to proceed with activities necessary to take this segment of the Parkway to construction and directed staff to return to the Board with a reassessment of the funding situation in Spring 1991 after the bids have been received for the Pohick Road to Rolling Road segment; and
- Directed staff to continue the "halt" status on all further right-of-way acquisition except in the Dulles Toll Road to Sunset Hills segment.

The staff was directed administratively to proceed as proposed.

Following discussion, Supervisor McConnell asked unanimous consent that the Board direct staff to review the three hardship cases identified (the Gepharts, the Kidders, and the O'Such's) to determine if there is any way to assist them. Without objection it was so ordered.

78. I-2 - UPDATE OF PROCEDURAL MEMORANDUM ON PUBLIC INFORMATION (TAPE 10)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 10, 1990 requesting authorization for the Office of Public Affairs to:

- Incorporate the changes into Procedural Memorandum #132 (PM#132) that include procedures for ceremonies, civic association mailings, news releases, Board presentations, and other aspects of public information which are not incorporated into the existing PM#132; and
- Forward the revised PM#132 to all County agencies.

The staff was directed administratively to proceed as proposed.

Supervisor Hanley asked unanimous consent that the Board direct staff to modify the amendment as follows:

- Protocol 4, Page 7, fourth sentence, delete the sentence beginning with "However."

Without objection, it was so ordered.

79. I-3 - ELECTION YEAR POLICIES REGARDING COUNTY PUBLICATIONS AND CABLE CHANNEL 16 (TAPE 10)

(P) The Board next considered an Information Item contained in the Memorandum to the Board dated December 10, 1990 requesting authorization for the Director of the Office of Public Affairs to take the following actions with regard to the upcoming election year policies regarding County publications and Cable Channel 16:

- Refrain from printing photographs of political candidates in the Weekly Agenda and any other County publications; and
- Refrain from including political candidates on programs on Channel 16 (with the exceptions of cablecasts of Board meetings, Planning Commission meetings, and other televised Countywide public meetings) from January 1, 1991 until after the election.

The staff was directed administratively to proceed as proposed.

80. I-4 - VIRGINIA ASSOCIATION OF PUBLIC TRANSIT OFFICIALS (VAPTO) INNOVATIVE PROGRAM AWARD TO FAIRFAX COUNTY FOR PUBLIC TRANSPORTATION PRICING DEMONSTRATION PROGRAM AND PROGRAM STATUS REPORT (TAPE 10)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 10, 1990 announcing that Fairfax County was awarded the Virginia Association of Public Transit Officials (VAPTO) first ever Innovative Program Award for the County's Pricing Demonstration Program. The award was presented at the annual VAPTO conference held in November 1990.

There was a brief discussion regarding this item.

81. I-5 - NEEDIEST KIDS FOOD AND FUND DRIVE
(TAPE 10)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 10, 1990 presenting information regarding the "Neediest Kids Food and Fund Drive," for 1990.

82. I-6 - REDUCTION IN THE SIZE OF STAFF REPORTS FOR
REZONING, SPECIAL EXCEPTION, SPECIAL PERMIT, AND
VARIANCE APPLICATIONS (COUNTYWIDE) (TAPES 10-11)

- (P) The Board next considered an Information Item contained in the Memorandum to the Board dated December 10, 1990 requesting authorization for staff to implement with the next cycle the reduction in size of Staff Reports prepared for Rezoning, Special Exception, Special Permit, and Variance applications as outlined in the Memorandum.

Supervisor Richards expressed her appreciation to James P. Zook, Director, Office of Comprehensive Planning, and his staff for their efforts in reducing the size of the Staff Reports.

Following a brief discussion with input from Mr. Zook, Supervisor Hanley asked unanimous consent that the Board direct staff to include in the staff reports the affidavit page showing political contributions made to Board Members. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

83. I-7 - ENGINEERING PROVING GROUNDS REDEVELOPMENT
PLAN (TAPE 11)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 10, 1990 presenting the Engineer Proving Grounds Redevelopment Plan.

Following a lengthy discussion, Supervisor Alexander asked unanimous consent that the Board direct staff to work with the Task Force on the Memorandum of Understanding (MOU) and report its findings to the Board. Without objection, it was so ordered.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and moved that the Board meet with Congressman Moran, Senator Warner, the staff and Task Force members to discuss this issue. This motion was seconded by Supervisor Bulova.

Supervisor Alexander moved to Table the motion. This motion was seconded by Supervisor McConnell and CARRIED by a recorded vote of five, Supervisor Bulova and Chairman Moore voting "NAY," Supervisor Davis and Supervisor Hanley being out of the room.

84. MOTION TO ADMINISTRATIVELY APPROVE REMAINDER OF INFORMATION ITEMS (NO TAPE)

Supervisor Davis moved that due to the lateness of the hour the Board consider the remaining Information Items, Information Item Eight through Information Item 21 as presented in the Board Package and that any Board Members wishing to discuss an Item may call the Item to the Board's attention later in the day. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Hyland stated that he would like to discuss Information Item Eight and Information Item 11 later in the meeting. He asked unanimous consent that the Board direct staff to present these Items later in the day. Without objection, it was so ordered.

(NOTE: Later in the meeting, there was NO further discussion on Information Item Eight and Information Item 11.)

85. I-8 - IMPLEMENTATION OF STAGE II VAPOR RECOVERY (NO TAPE)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 10, 1990 presenting the appropriate actions necessary to implement Stage II Vapor Recovery at gasoline dispensing points in accordance with the Clean Air Act of 1990.

Supervisor Hyland stated that he would like to discuss Information Item Eight later in the meeting. He asked unanimous consent that the Board direct staff to present these Items later in the day. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

(NOTE: Later in the meeting, there was NO further discussion on Information Item Eight.)

86. I-9 - APPROVAL OF ADDITIONAL SERVICES FOR SETTLES ASSOCIATES FOR THE DESIGN OF A MECHANICAL SYSTEM FOR THE FOURTH FLOOR OF THE JUDICIAL CENTER (CENTRAL COUNTY COMPLEX) (NO TAPE)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 10, 1990 requesting authorization for staff to authorize Settles Associates to perform the additional services to provide the mechanical system design required for the fourth floor of the Judicial Center (Central County Complex) for a not-to-exceed fee of \$40,580.

The staff was directed administratively to proceed as proposed.

87. I-10 - CONTRACT AWARD - UNDERGROUND UTILITY
LOCATING AND DESIGNATING SERVICES (NO TAPE)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 10, 1990 requesting authorization for the Purchasing Agent to proceed to award a contract to So-Deep, Incorporated, and the Spectra Group for underground utility locating and designating services. The costs of these contracts will not exceed \$240,000.

The staff was directed administratively to proceed as proposed.

88. I-11 - CONTRACT RENEWAL - AGREEMENT FOR ENGINEERING
SERVICES FOR ADDITIONAL SOLID WASTE DISPOSAL AREA
(MOUNT VERNON DISTRICT) (NO TAPE)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 10, 1990 requesting authorization for staff to proceed to renew a contract with Post, Buckley, Schuh and Jernigan in the amount of \$1,000,000 for engineering services for additional solid waste disposal area, Mount Vernon District.

Supervisor Hyland stated that he would like to discuss Information Item 11 later in the meeting. He asked unanimous consent that the Board direct staff to present these Items later in the day. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

(NOTE: Later in the meeting, there was NO further discussion on Information Item 11.)

89. I-12 - AMENDMENT TO THE CONSTRUCTION ENGINEERING
INSPECTION CONTRACT WITH ALPHA CORPORATION,
INCORPORATED FOR TELEGRAPH ROAD
IMPROVEMENTS (LEE DISTRICT)
(NO TAPE)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 10, 1990 requesting authorization for staff to proceed to award a contract to Alpha Corporation, Incorporated, in the amount of \$59,030 for an amendment to the construction engineering inspection contract for Telegraph Road improvements, Lee District.

The staff was directed administratively to proceed as proposed.

90. I-13 - CONTRACT AWARD - ANNUAL CONTRACT FOR
TRAFFIC SIGNAL DESIGN (COUNTYWIDE) (NO TAPE)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 10, 1990 requesting authorization

for staff to proceed to award a contract to Bellomo-McGee, Incorporated, in the amount of \$100,000 for the annual contract for traffic signal design, Countywide.

The staff was directed administratively to proceed as proposed.

91. I-14 - AWARD OF A CONTRACT FOR THE REHABILITATION OF STONEGATE VILLAGE APARTMENTS, AND AMENDMENT TO ARCHITECTURAL CONTRACT FOR CONSTRUCTION ADMINISTRATION AND ASBESTOS MONITORING SERVICES (CENTREVILLE DISTRICT) (NO TAPE)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 10, 1990 requesting authorization for:

- Staff to proceed to award a contract to Glen Construction Company in the amount of \$5,069,800 for the rehabilitation of the Stonegate Village Apartments, Centreville District; and
- Assistant Director of the Fairfax County Redevelopment and Housing Authority (FCRHA) to execute an amendment to the architectural contract for construction administration and asbestos monitoring services with Davis and Carter, P.C., in the amount of \$348,925.

The staff was directed administratively to proceed as proposed.

92. I-15 - CONTRACT AWARD - IRRIGATION RETROFIT AND OTHER RELATED WORK AT TWIN LAKES GOLF COURSE (SPRINGFIELD DISTRICT) (NO TAPE)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 10, 1990 requesting authorization for staff to proceed to award a contract to Lytle Utilities, Incorporated, of Richmond, Virginia, in the amount of \$246,993.75 for irrigation retrofit and other related work at Twin Lakes Golf Course, Springfield District.

The staff was directed administratively to proceed as proposed.

93. I-16 - CONTRACT AWARD - LANDSCAPE PLANTING AND OTHER RELATED WORK AT RESTON NORTH AND STUART ROAD PARKS (CENTREVILLE AND DRANESVILLE DISTRICTS) (NO TAPE)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 10, 1990 requesting authorization

for staff to proceed to award a contract to Bennett's Nursery, Incorporated, of Vienna, Virginia, in the amount of \$54,777.90 for landscape planting and other related work at Reston North and Stuart Road Parks, Centreville District.

The staff was directed administratively to proceed as proposed.

94. I-17 - CONTRACT AWARD - INSTALLATION OF ATHLETIC FIELD LIGHTING AND RELATED WORK AT LAKE FAIRFAX, POPLAR TREE, NOTTOWAY AND ALABAMA DRIVE PARKS (CENTREVILLE, SPRINGFIELD, PROVIDENCE AND DRANESVILLE DISTRICTS) (NO TAPE)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 10, 1990 requesting authorization for staff to proceed to award a contract to M.C. Dean Electrical Contracting, Incorporated, of Chantilly, Virginia, in the amount of \$1,039,000 for the installation of athletic field lighting and related work at Lake Fairfax, Poplar Tree, Nottoway, and Alabama Drive Parks, Centreville, Springfield, Providence, and Dranesville Districts.

The staff was directed administratively to proceed as proposed.

95. I-18 - CONTRACT AWARD - CONSTRUCTION OF A TRAIL AND RELATED WORK AT BUSH HILL PARK (LEE DISTRICT) (NO TAPE)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 10, 1990 requesting authorization for staff to proceed to award a contract to Owens and Dove, Incorporated, of Manassas Park, Virginia, in the amount of \$62,190.25 for the construction of a trail and related work at Bush Hill Park, Lee District.

The staff was directed administratively to proceed as proposed.

96. I-19 - CONTRACT AWARD - COURT ORDERED THERAPEUTIC ASSESSMENT AND COUNSELING FOR ADULT SEX OFFENDERS (NO TAPE)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 10, 1990 requesting authorization for the Purchasing Agent to award a contract to National Center on Institutions and Alternatives to provide court ordered therapeutic assessment and counseling for adult sex offenders.

The staff was directed administratively to proceed as proposed.

97. I-20 - CONTRACT AWARD - CURBSIDE COLLECTION,
TRANSPORTATION AND MARKETING OF RECYCLABLE
MATERIALS (NO TAPE)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 10, 1990 requesting authorization for the Purchasing Agent to award a contract to Browning-Ferris, Incorporated, in the amount of \$1.73 per household for the first year (approximately \$762,460) for curbside collection, transportation, and marketing of recyclable materials.

The staff was directed administratively to proceed as proposed.

98. I-21 - STATUS REPORT - HERNDON ELDERLY HOUSING
(DRANESVILLE DISTRICT) (NO TAPE)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 10, 1990:

- Presenting the status report on a proposed project designed specifically for elderly occupancy in the Town of Herndon to develop 120 units of independent living elderly housing, a senior center, and an adult day care center; and
- Requesting authorization for staff to proceed to work with the Town of Herndon on the acquisition of the privately-owned property for this project as outlined in the Memorandum.

The staff was directed administratively to proceed as proposed.

99. RECESS/EXECUTIVE SESSION (TAPE 11)

At 3:55 p.m., Supervisor Davis moved that the Board recess and go into Executive Session for discussion of matters set forth in the Agenda as well as for discussion of actual and probable litigation and other specific legal matters requiring the provision of legal counsel, as well as:

- Thomas versus County of Fairfax, Civil Action Number 891597A;
- Kirby versus Board of Supervisors At Law Number 96760; and
- A Land Acquisition Matter.

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

At 5:55 p.m., the Board reconvened in the Board Room with all Board Members present, and with Chairman Moore presiding.

100. ACTIONS FROM EXECUTIVE SESSION (TAPE 12)

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

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

B. DENIAL OF THE CLAIM OF THE LAKEFORD
HOMEOWNERS ASSOCIATION

Supervisor Pennino moved that the Board of Supervisors deny the claim of the Lakeford Homeowners Association as recommended by the County Attorney. This motion was jointly seconded by Supervisor Alexander and Supervisor Hyland and carried by a vote of eight, Supervisor Hanley voting "NAY."

C. SETTLEMENT OF ROBERT L. KIRBY VERSUS
THE BOARD OF SUPERVISORS AT LAW NUMBER
96760

Supervisor Davis moved that the Board authorize settlement of Robert L. Kirby versus the Board of Supervisors of Fairfax County At Law Number 96760 according to the terms and conditions outlined by the County Attorney. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being out of the room.

101. DEFERRAL OF PH ON SPECIAL EXCEPTION APPLICATION
SE 90-P-029 (FRANCES L. ADAMS) (PROVIDENCE
DISTRICT) (TAPE 13)

Supervisor Hanley moved to defer the public hearing on Special Exception Application SE 90-P-029 until February 11, 1991 at 4:00 p.m. because of

the Planning Commission's deferral of its public hearing. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being out of the room.

102. DEFERRAL OF PH ON REZONING APPLICATION RZ 89-P-084
(ANTONIO N. DIAS) (PROVIDENCE DISTRICT) (TAPE 13)

Supervisor Hanley moved to defer the public hearing on Rezoning Application RZ 89-P-084 until January 14, 1991 at 3:30 p.m. at the request of the applicant. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being out of the room.

103. 3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT
APPLICATION PCA 82-L-030-5 (MANCHESTER LAKES
RETAIL LIMITED PARTNERSHIP) (LEE DISTRICT)
(TAPE 13)

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

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

Supervisor Alexander moved approval of Proffered Condition Amendment Application PCA 82-L-030-5 subject to the execution of revised proffers dated November 12, 1990. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Davis and Supervisor Hanley being out of the room.

Supervisor Alexander moved waiver of the barrier requirement and modification of the transitional screening requirements in favor of the landscape plantings along Charles Arrington Drive, Manchester Boulevard, and Beulah Street, as shown on the Generalized Development Plan (GDP). This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Davis and Supervisor Hanley being out of the room.

104. 3:30 P.M. - BOARD DECISION ON THE GRANT APPLICATION
TO THE URBAN MASS TRANSPORTATION ADMINISTRATION
(UMTA) FOR TRANSIT FACILITIES IN THE DULLES
CORRIDOR (CENTREVILLE, DRANESVILLE AND
PROVIDENCE DISTRICTS) (NO TAPE)

[NOTE: In order to submit a grant application to the Urban Mass Transportation Administration (UMTA) for transit facilities in the

Dulles Corridor, the Board of Supervisors conducted a public hearing on December 3, 1990. Subsequent to the public hearing, the Board deferred decision until December 10, 1990 and also left the public hearing record open until December 10, 1990.]

(NOTE: Earlier in the meeting, action was taken to defer Board Decision until later in the meeting. See Clerk's Summary Item CL#10.)

(NOTE: Later in the meeting action was taken regarding this item. See Clerk's Summary Item CL#115.)

105. 3:30 P.M. - BOARD DECISION ON PROFFERED CONDITION
AMENDMENT APPLICATION PCA 82-V-081 AND FINAL
DEVELOPMENT PLAN AMENDMENT APPLICATION
FDPA 82-V-081 (HUNTINGTON GATEWAY
ASSOCIATES, LIMITED PARTNERSHIP)
(MOUNT VERNON DISTRICT) (TAPE 13)

(NOTE: The public hearing on Proffered Condition Amendment Application PCA 82-V-081 and Final Development Plan Amendment Application FDPA 82-V-081 as held on December 3, 1990 and Board decision deferred until December 10, 1990.)

Chairman Moore disclosed the following campaign contribution that she had received:

- In the amount of \$425.00 from Mr. Carl Cohen in 1987.

(NOTE: The Planning Commission noted that the Comprehensive Plan argues against any free-standing structures in this area which would generate additional traffic and, further, any approval would violate the Zoning Ordinance requirements which specify that commercial uses in a PDH District must specifically serve residents of that development.)

Supervisor Hyland moved approval of Proffered Condition Amendment Application PCA 82-V-081 subject to the proffers dated July 12, 1990 in accordance with the Development Conditions dated June 28, 1990 as modified:

- Add a Development Condition Number Six to read: "An access control gate shall be installed across the south entrance to Huntington Gateway along Mount Eagle Drive in order to restrict access to emergency and maintenance vehicles only."

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

Supervisor Hyland moved waiver of the service drive requirement along the Richmond Highway frontage of the Huntington Gateway development. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor Hanley being out of the room.

Supervisor Hyland further moved approval of Final Development Plan Amendment Application FDPA 82-V-081 subject to the proffers dated July 12, 1990 and in accordance with the development conditions dated June 28, 1990 as amended by adding development condition number six as stated above. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor Hanley being out of the room.

106. 4:00 PH ON REZONING APPLICATION RZ 89-P-084
(ANTONIO N. DIAS) (PROVIDENCE DISTRICT)
(NO TAPE)

(NOTE: Earlier in the meeting action was taken to defer this item until January 14, 1991 at 3:30 p.m. See Clerk's Summary Item CL#102.)

107. 4:00 P.M. - PH ON REZONING APPLICATION RZ 90-D-027
(ELLIOTT W. AMICK, JR.) (DRANESVILLE DISTRICT)
(TAPE 13)

Mr. Elliott Amick, Jr. reaffirmed the validity of the affidavit for the record.

Mr. Amick 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 Richards moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Davis and Supervisor Hanley being out of the room.

Supervisor Richards moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 90-D-027 be amended from the R-3 and Highway Corridor Overlay Districts to the R-8 and Highway Corridor Overlay Districts subject to the execution of the revised proffers dated September 11, 1990, as revised November 14, 1990. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Davis and Supervisor Hanley being out of the room.

Supervisor Richards moved waiver of the barrier requirement and modification of the transitional screening requirement, consistent with the submitted Generalized Development Plan (GDP), Landscaping Plan dated March 19, 1990, as revised September 12, 1990, and in accordance with the proffers dated September 11, 1990 as revised November 14, 1990. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Davis and Supervisor Hanley being out of the room.

Supervisor Richards further moved that the Board direct the Director of the Department of Environmental Management (DEM) to waive the entrance location requirement from 20 feet to four feet as shown on the GDP dated March 19, 1990, and revised September 12, 1990. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Davis and Supervisor Hanley being out of the room.

Supervisor Richards further moved waiver of the minimum district size in the R-8 District. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Davis and Supervisor Hanley being out of the room.

SBE:SBE

108. 4:00 P.M. - PH ON CONCEPTUAL DEVELOPMENT PLAN
AMENDMENT APPLICATION CDPA C-448-7 (JOHN E.
COWLES, TRUSTEE AND CARR PROPERTIES,
INCORPORATED) (LEE DISTRICT) (TAPE 14)

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

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

Following the public hearing, Supervisor Alexander moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Davis and Supervisor Hanley being out of the room.

Supervisor Alexander moved approval of Conceptual Development Plan Amendment Application CDPA C-448-7. This motion was seconded by Supervisor Richards and carried by a vote of seven, Supervisor Davis and Supervisor Hanley being out of the room.

Supervisor Alexander moved approval of Final Development Plan Applications FDP C-448-18 and FDP C-448-19 subject to the development conditions dated October 17, 1990. This motion was seconded by Supervisor Richards and carried by a vote of seven, Supervisor Davis and Supervisor Hanley being out of the room.

Supervisor Alexander moved:

- Waiver of the barrier requirements along the southern boundary in favor of the six-foot fence along the rear lines of the townhouse units;
- Modification of the transitional screening yard along the southern and eastern boundaries to that shown on the landscape buffer dated May 17, 1990 for the Final Development Plans; and
- Direct the Department of Environmental Management (DEM) staff to reaffirm the waiver of the 600-foot limitations on the length of private streets as granted with the original Kingstowne approval.

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

109. 4:00 P.M. - PH ON PROPOSED CONVEYANCE OF COUNTY-OWNED PROPERTY TO THE BAILEY'S CROSSROADS VOLUNTEER FIRE DEPARTMENT (MASON DISTRICT) (TAPE 14)

- (R) Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that notice of said public hearing had been duly advertised in those Newspapers in the issues of November 23 and November 30, 1990.

Following the public hearing, which included testimony by one speaker, Supervisor Davis moved that the Board adopt the Resolution authorizing the disposition of the County-owned property located at Tax Map Number 61-4 ((1)) 20A to the Bailey's Crossroads Volunteer Fire Department. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor Hanley being out of the room.

110. 4:30 P.M. - PH ON CONCEPTUAL DEVELOPMENT PLAN AMENDMENT APPLICATION CDPA C-402-6 AND FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION FDPA C-402-6 (RICHARD E. WARD) (SPRINGFIELD DISTRICT) (TAPE 14)

Mr. H. Kendrick Sanders reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by three speakers, Supervisor McConnell moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Alexander and Supervisor Davis being out of the room.

Supervisor McConnell moved DENIAL of Conceptual Development Plan Amendment CDPA C-402-6. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Alexander and Supervisor Davis being out of the room.

Supervisor McConnell moved DENIAL of Final Development Plan Application FDPA C-402-6. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor Alexander being out of the room.

111. 4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-D-044 (BOARD OF SUPERVISORS, OWN MOTION) (DRANESVILLE DISTRICT) (TAPE 14)

Carol Dickey, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, stated that the necessary notices had been filed showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and she proceeded to present the Staff Report.

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

Supervisor Richards moved approval of Proffered Condition Amendment Application PCA 84-D-044 subject to the revised development conditions dated November 29, 1990, amended as follows:

- Add additional language to Condition Number Three:

"As shown on the attached drawing entitled, McLean Providence Landscape Detail."

This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Alexander abstaining because he was not present in the Board Room for the entire public hearing, Supervisor Davis and Supervisor McConnell being out of the room.

112. 5:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION
SE 87-A-094 (DEMAINE FUNERAL HOMES, INCORPORATED)
(ANNANDALE DISTRICT) (TAPE 14)

Mr. Carson Lee Fifer, Jr., reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by one speaker, Supervisor Bulova moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Bulova moved approval of Special Exception Application SE 87-A-094 subject to the revised development conditions dated December 5, 1990. This motion was seconded jointly by Supervisor Hyland and Supervisor Pennino and carried by unanimous vote.

Supervisor Bulova moved waiver and/or modification of the transitional screening and barrier requirements in favor of that shown on the Special Exception Plat, the Landscape Plan, and the proposed development conditions. This motion was seconded by Supervisor Pennino and by unanimous vote.

Supervisor Bulova moved that the provisions of Section 12-208, Paragraph 2F, of the Zoning Ordinance be modified to allow the relocation of the existing freestanding sign within 10 feet of the lot line in the vicinity shown on the Special Exception Plat dated November 8, 1990, prepared by Rinker-Detwiler and Associates. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

113. 5:00 P.M. - PH ON PROPOSED AMENDMENT TO THE
COMPREHENSIVE PLAN, OUT-OF-TURN PLAN
AMENDMENT ITEM S90-IV-S1 (LEE
DISTRICT) (TAPE 14)

Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that notice of said public hearing had been duly advertised in those Newspapers in the issues of November 23 and November 30, 1990.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and left the Board Room in order to attend a meeting in the Board Conference Room.

Michael Hines, Planner II, Planning Division, Office of Comprehensive Planning, was introduced to Board Members as a new staff member. Board Members warmly welcomed Mr. Hines to the Board Room.

Following the public hearing, which included testimony by two speakers, Supervisor Alexander moved approval of Out-of-Turn Plan Amendment Item S90-IV-S1 subject to the Staff Report language contained on Pages Six and Seven, as modified by Planning Commission on November 29, 1990:

• Page Six:

- * Prior to Bullet One, change the second sentence of the paragraph to read, "As an option, community-serving retail uses may be appropriate if Fullerton Road between Boston Boulevard and Boudinot Drive is re-designated as a six-lane facility, and Boston Boulevard is designated as a four-lane facility from the entrance to the subject property east to Fullerton Road, and neither Boston Boulevard nor Fullerton Road are connected through to Rolling Road to the west, and the following conditions are met:";
- * Amend Bullet Four to read, "Water quality protection measures to protect the Accotink Creek Environmental Quality Corridor are incorporated into the development of the subject property, with emphasis given in these measures to preventing hydrocarbon runoff";
- * Insert a new Bullet after Bullet Four to read, "The slopes of the Accotink Creek outside of the property limits are to remain undisturbed. Land disturbing activities along the slopes within the property limits shall be minimized. Consideration will also be given to providing supplemental plantings on the slopes to the Accotink Creek within the property"; and

- * Insert a new Bullet second to last to read, "The environmental impacts on the Accotink Creek of any bridge construction should be minimized."

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

114. 5:00 P.M. - BOARD DECISION ON PROPOSED VACATION OF MOSBY LANE (SPRINGFIELD DISTRICT) (TAPE 14)

(NOTE: The public hearing on this item was held on July 9, 1990 and continued on October 29, 1990, and December 10, 1990.)

Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that notice of said public hearing had been duly advertised in those Newspapers in the issues of June 22 and June 29, 1990.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

Supervisor McConnell moved to further defer Board decision on the proposed vacation of Mosby Lane until January 14, 1990 at 5:00 p.m. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

VLL:VLL

115. 3:30 P.M. - BOARD DECISION ON THE GRANT APPLICATION TO THE URBAN MASS TRANSPORTATION ADMINISTRATION (UMTA) FOR TRANSIT FACILITIES IN THE DULLES CORRIDOR (CENTREVILLE, DRANESVILLE AND PROVIDENCE DISTRICTS) (TAPES 14-15)

(BACs)

(R) [NOTE: Earlier in the meeting, action was taken to defer the Board's consideration until later in the meeting to allow additional time for staff to determine whether an extension of time until July 1, 1990 will be granted for the application to the Urban Mass Transportation Administration (UMTA) for transit facilities in the Dulles Corridor. See Clerk's Summary Item CL#10.]

[NOTE: In order to submit a grant application to the Urban Mass Transportation Administration (UMTA) for transit facilities in the Dulles Corridor, the Board of Supervisors conducted a public hearing on December 3, 1990. Subsequent to the public hearing, the Board deferred decision until December 10, 1990 and also left the public hearing record open until December 10, 1990.]

Supervisor Pennino moved that the Board concur in the recommendation of staff as contained in the Memorandum to the Board dated December 10, 1990 and take the following actions subsequent to the public hearing on the UMTA grant application:

- Specify that the Dulles TSM Program shall be comprised of the following projects and funding sources:
 - * Spring Hill Transit Center (Private and bond funding);
 - * Reston East (Sunset Hills) Park-and-Ride with approximately 850 parking spaces (UMTA and bond funding);
 - * Reston Town Center Transit Center (Private and bond funding);
 - * Monroe Street (Southeast) Regional Park-and-Ride with approximately 1,790 parking spaces (UMTA and bond funding);
 - * Buses to serve these facilities (bond funding);
- Adopt the Resolution, contained in Attachment One of the Memorandum to the Board, authorizing the County Executive to execute the filing of the grant application on behalf of Fairfax County. This grant application will include the Reston East and the Monroe Street (Southeast) Regional Park-and-Rides and would fully utilize the \$36.0 million of UMTA funds. Direct the County Executive to prepare and submit the grant application to UMTA by December 31, 1990 for the federally funded portion of the Dulles TSM Program;

- Direct the County Executive to send a letter to UMTA Administrator Bryan Clymer, with a copy to Congressman Frank Wolf, indicating that the County is preparing a grant application for submittal to UMTA by December 31, 1990 and that the County has met the objectives of final site selection and providing of local match in the following manner:

Final Site: After consideration of a number alternative sites the Board has conclusively chosen Reston East (Sunset Hills) and Monroe Street (Southeast) for the locations for a 850 space and a 1,790 space park-and-ride facility, respectively; and

Local Match: On November 6, 1990 Fairfax County voters approved the \$80 million Transportation Bond Referendum which includes funds to provide for the local match for the UMTA grant, additional local monies needed for the overall Dulles TSM Program, and funding for other transit projects; and

- Commend and thank the members of the Dulles Citizens Committee for their timely assistance in specifying the Dulles TSM Program and their thoughtful examination of the relevant issues.

This motion was seconded by Supervisor Alexander.

Supervisor Richards asked that motion be amended to include that the Board direct staff in its cover letter, given the gracious action of Congressman Frank Wolf in securing the 30 day extension, indicate that the Board reserves the right to amend the westernmost station if agreed to by staff and the community, and this was accepted.

Chairman Moore relinquished the Chair to Acting-Chairman Alexander and asked that Supervisor Richards' request be further amended to include that the Board direct staff to work with the Town of Herndon staff engineers to determine the feasibility of amending the westernmost station, and this was accepted.

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

116. 5:00 P.M. - PH ON REZONING APPLICATION RZ 90-P-040
AND SPECIAL EXCEPTION APPLICATION SE 90-P-020
(FAIREFAX RIDGE ASSOCIATES) (PROVIDENCE DISTRICT)
(TAPE 15)

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

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

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

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and left the Board Room to attend to important business in the Board Conference Room.

Supervisor Hanley moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 90-P-040 be amended from the I-5 to the C-3 District subject to the execution of the revised proffers dated December 10, 1990. This motion was seconded by Supervisor Davis and carried by a vote of five, Supervisor Alexander, Supervisor Bulova, Supervisor McConnell, and Chairman Moore being out of the room.

Supervisor Hanley moved approval of Special Exception Application SE 90-P-020 subject to the revised development conditions dated October 4, 1990, with the following modification:

- Revise the concluding paragraph of the Special Exception approval letter to the applicant to read, "Under Section 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, twenty-four (24) months after the approval date of the Special Exception unless the activity authorized has been established, or unless..."

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

Supervisor Hanley moved that the \$500,000 contribution for the design of the grade-separated interchange at Waples Mill Road and Route 50 be creditable to the Fairfax Center Fund. She stated, for the record, that improvements to Route 50 and Waples Mill Road, and their intersection, are included in the list of off-site roadway improvement projects and titled to credit under the procedural guidelines for the Fairfax Center Area. This motion was seconded by Supervisor Davis and carried by a vote of five, Supervisor Bulova and Supervisor McConnell abstaining because they were not present in the Board Room for the entire public hearing, Supervisor Alexander, and Chairman Moore being out of the room.

117. 5:00 P.M. - BOARD DECISION ON SPECIAL EXCEPTION APPLICATION SE 89-S-075 (MOBIL OIL CORPORATION) (SPRINGFIELD DISTRICT) (TAPE 15)

(NOTE: The public hearing was held on November 5, 1990 and Board decision deferred until December 10, 1990.)

Vice-Chairman Pennino returned to gavel to Chairman Moore on her return to the Board Room.

Supervisor McConnell moved to further defer Board decision on Special Exception Application SE 89-S-075 until January 14, 1991 at 5:00 p.m. This motion was seconded jointly by Supervisor Bulova and Supervisor Pennino and carried by a vote of seven, Supervisor Alexander and Supervisor Davis being out of the room.

118. 5:00 P.M. - PH ON REZONING APPLICATION RZ 89-C-041 (DREWLAINE PARTNERSHIP) (CENTREVILLE DISTRICT) (TAPES 15-16)

Mr. Stephen K. Fox reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by seven speakers, Supervisor Pennino moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor Hanley, and Supervisor Richards being out of the room.

Supervisor Pennino moved to defer Board decision on Rezoning Application RZ 89-C-041 to allow additional time for staff to address the issues raised at the public hearing and obtain a report from the Corps of Engineers. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor Hanley, and Supervisor McConnell being out of the room.

At the recommendation of William Howland, Assistant to the County Executive, Supervisor Pennino moved to defer Board decision on Rezoning Application RZ 89-C-041 until February 11, 1991 at 4:30 p.m. This motion was seconded by Supervisor Richards and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor Hanley, and Supervisor McConnell being out of the room.

119. 5:00 P.M. - PH ON REZONING APPLICATION RZ 90-P-033
[GORHAM S. (RORY) CLARK] (PROVIDENCE DISTRICT)
(TAPE 16)

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and left the Board Room to take care of some important business.

Ms. Anne Morris reaffirmed the validity of the affidavit for the record.

Ms. Morris 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 she proceeded to present her case.

Following the public hearing, Stephen W. Kerr, Assistant Director, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Hanley moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 90-P-033 be amended from the R-1 to the R-3 District subject to the execution of the revised proffers dated November 29, 1990 contained in Staff Report Addendum Two. This motion was seconded by Supervisor Bulova and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

Supervisor Hanley moved that the Board direct the Director of the Department of Environmental Management (DEM) to waive the Public Facilities Manual (PFM) requirement for a 20-foot setback from the property line for driveways. This motion was seconded by Supervisor Bulova and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

Supervisor Hanley moved that the Board direct the Director of the Department of Environmental Management (DEM) to waive the Public Facilities Manual (PFM) requirement for a 40-foot distance between driveway curbcuts. This motion was seconded by Supervisor Bulova and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

Supervisor Hanley moved that the Board direct the Clerk to the Board of Supervisors to expedite the processing of the letter of resolution to the applicant. This motion was seconded by Supervisor Bulova and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

120. 5:00 P.M. - PH ON REZONING APPLICATION RZ 90-C-006
(PLAZA AMERICA DEVELOPMENT CORPORATION)
(CENTREVILLE DISTRICT) (TAPE 16-17)

Mr. Edward J. Finnegan reaffirmed the validity of the affidavit for the record.

Mr. Finnegan 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, Regina Murray, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Vice-Chairman Pennino relinquished the Chair to Acting-Chairman Hyland and moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 90-C-006 be amended from the I-6 to the PDC District subject to the execution of the proposed development conditions dated November 15, 1990 and revised proffers dated December 7, 1990. This motion was seconded by Supervisor Bulova and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

Supervisor Pennino moved modification of the transitional screening and waiver of the barrier requirements along the western boundaries subject to the proposed development conditions. This motion was seconded by Supervisor Bulova and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

Supervisor Pennino moved approval of Final Development Plan Application FDP 90-C-006. This motion was seconded by Supervisor Bulova and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

121. SOIL REPORT FEE FOR 8226-A-SP-01, THE UNITY CHURCH OF THE DAILY WORD (TAPE 17)

Supervisor Hanley moved that the Board request staff to defer the soil report fee for 8226-A-SP-01, The Unity Church of the Daily Word, until construction is completed and before the occupancy permit is issued. This motion was seconded by Supervisor Bulova and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor Hyland, and Chairman Moore being out of the room.

122. 7:30 P.M. - PH TO RECEIVE CITIZEN COMMENT ON ISSUES OF CONCERN (TAPE 17)

Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that notice of said public hearing had been duly advertised in those Newspapers in the issues of November 23 and November 30, 1990.

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

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

123. BOARD ADJOURNMENT (TAPE 17)

At 9:45 p.m., the Board adjourned.