

AM:am

The meeting was called to order at 9:35 a.m. with all Members being present, with the exception of Supervisor Hyland, and with Chairman Hanley presiding.

Supervisor Hyland arrived at 3:00 p.m.

Others present were William J. Leidinger, County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Barbara M. Jenkins, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

2. **ABSENCE OF MOUNT VERNON DISTRICT SUPERVISOR "GERRY" HYLAND DUE TO A DEATH IN THE FAMILY** (Tape 1)

Chairman Hanley announced that Mount Vernon District Supervisor "Gerry" Hyland would be arriving later in the day due to a death in the family and would be attending a funeral this morning.

3. **ORDERS OF THE DAY** (Tape 1)

Chairman Hanley relinquished the Chair to Acting-Chairman Dix and asked unanimous consent that the Board change the Orders of the Day to delay action on Action Item A-3 - Woodrow Wilson Bridge Improvement Study Location Public Hearing until Supervisor Hyland's arrival. Without objection, it was so ordered.

Acting-Chairman Dix returned the gavel to Chairman Hanley.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#62.)

4. **PROCLAMATION DESIGNATING THE WEEK OF APRIL 21 THROUGH APRIL 27, 1996 AS "NATIONAL CRIME VICTIMS RIGHTS WEEK" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Acting-Chairman Dix and moved approval of the Proclamation presented to Carroll Ellis, Victim Witness Unit, Fairfax County Police Department, designating the week of April 21 through April 27, 1996 as "**National Crime Victims Rights Week**" in Fairfax County. This motion was seconded by Acting-Chairman Dix and carried by a vote of nine, Supervisor Hyland not yet having arrived.

Acting-Chairman Dix returned the gavel to Chairman Hanley.

5. **PROCLAMATION DESIGNATING THE WEEK OF APRIL 7 THROUGH APRIL 13, 1996 AS "BUILDING SAFETY WEEK" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Frey moved approval of the Proclamation presented to Irving Birmingham, Director, Department of Environmental Management (DEM), and Sophie Zager, Director, Inspection Services Division, DEM, designating the week of April 7 through April 13 1996 as "**Building Safety Week**" in Fairfax County. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Hyland not yet having arrived.

6. **ADMINISTRATIVE ITEMS** (Tape 1)

Chairman Hanley relinquished the Chair to Acting-Chairman Dix and moved approval of the Administrative Items. This motion was seconded by Supervisor McConnell.

Following discussion, with input by James Thur, Executive Director, Fairfax-Falls Church Community Services Board (CSB) and Larry L. Ichter, Acting Director, Office of Road Program Management, Department of Public Works, the question was called on the motion which carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Chairman Hanley, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Acting-Chairman Dix voting "AYE," Supervisor Hyland not yet having arrived.

Acting-Chairman Dix returned the gavel to Chairman Hanley.

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated April 8, 1996 be recommended for acceptance into the State Secondary System as follows:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Polo Fields, Section 1-B	Hunter Mill	Colts Brook Drive Tournament Drive Thunder Chase Drive, Route 6373 Old Club Lane Fox Mill Road, Route 665, Additional Right-of-way only Sunrise Valley Drive, Route 5320, Additional Right-of-way only
Green Trails Sections 1 and 2	Sully	Rock Canyon Drive Chestnut Run Drive Sorrell Chase Court English Saddle Court Roamer Lane Bay Valley Lane Harness Hill Court Pony Hill Court
Hawthorne Forest	Sully	Northbourne Drive Route 6935 High Grove Hills Lane Elliston Court Audrey Drive, Route 1211 Fox Meadow Court Doyle Lane, Route 3738 British Manor Court Heathrow Lane Highbourne Lane Portage Place

ADMIN 2 - INSTALLATION OF MULTI-WAY STOPS AT THE INTERSECTIONS OF KILLEBREW DRIVE/HERITAGE DRIVE, YEATMAN DRIVE/HERITAGE DRIVE, KALORAMA ROAD/KILLEBREW DRIVE, AND OREANA DRIVE/KILLEBREW DRIVE (BRADDOCK DISTRICT)

Approved the endorsement of the installation of multi-way stops at the following intersections:

- Killebrew Drive (Route 2797) and Heritage Drive (Route 2630);

- Yeatman Drive (Route 3622) and Heritage Drive (Route 2630);
- Kalorama Road (Route 2686) and Killebrew Drive (Route 2797);
- Oreana Drive (Route 3507) and Killebrew Drive (Route 2797); and
- Directed staff to request the Virginia Department of Transportation (VDOT) to approve the installation of the multi-way stops and install these signs at the earliest possible date.

ADMIN 3 - INSTALLATION OF MULTI-WAY STOPS AT THE INTERSECTIONS OF SAN JUAN DRIVE/BYRD DRIVE, SAN CARLOS DRIVE/ANDES DRIVE, BYRD DRIVE/ANDES DRIVE, SANTA CLARA DRIVE/ANDES DRIVE, ALTA VISTA DRIVE/ROMA DRIVE, AND SAN CLARA DRIVE/ALTA VISTA DRIVE (BRADDOCK DISTRICT)

Approved the endorsement of the installation of multi-way stops at the following intersections:

- San Juan Drive (Route 3444) and Byrd Drive (Route 1463);
- San Carlos Drive (Route 1463) and Andes Drive (Route 1244);
- Byrd Drive (Route 1463) and Andes Drive (Route 1244);
- Santa Clara Drive (Route 1270) and Andes Drive (Route 1244);
- Alta Vista Drive (Route 1269) and Roma Drive (Route 1261);
- Santa Clara Drive (Route 1270) and Alta Vista Drive (Route 1269); and
- Directed staff to request the Virginia Department of Transportation (VDOT) to approve the installation of the multi-way stops and install these signs at the earliest possible date.

ADMIN 4 - INSTALLATION OF MULTI-WAY STOPS AT THE INTERSECTION OF WARDS GROVE CIRCLE AND DOWNEY'S WOOD COURT (SPRINGFIELD DISTRICT)

Approved the endorsement of the installation of multi-way stops at the following intersections:

- Wards Grove Circle (Route 5848) and Downey's Wood Court (private); and
- Directed staff to request the Virginia Department of Transportation (VDOT) to approve the installation of the multi-way stops and install these signs at the earliest possible date.

ADMIN 5 - ADDITION AND DISCONTINUANCE OF PORTIONS OF LEIGH MILL ROAD (ROUTE 683) (DRANESVILLE DISTRICT)

- (R) Adopted the Resolution requesting that the Commonwealth Transportation Board (CTB) add a new portion of Leigh Mill Road (Route 683) to the State Secondary System and discontinue a disused portion.

ADMIN 6 - ADDITION AND DISCONTINUANCE OF PORTIONS OF WALNEY ROAD (ROUTE 657) (SULLY DISTRICT)

- (R) Adopted the Resolution requesting that the Commonwealth Transportation Board (CTB) add a new portion of Walney Road (Route 657) to the State Secondary System and discontinue a disused portion.

ADMIN 7 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX H, TO EFFECT A TRANSFER OF THE CABLE TELEVISION SYSTEM FRANCHISE IN RESTON, VIRGINIA FROM JONES CABLE HOLDINGS, INCORPORATED, TO JONES COMMUNICATIONS OF VIRGINIA, INCORPORATED (HUNTER MILL DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 29, 1996 at 4:30 p.m.** on a proposed amendment to the Code of the County of Fairfax, Appendix H, to codify a transfer of the Reston, Virginia cable television system franchise from Jones Cable Holdings, Incorporated, to its wholly owned subsidiary, Jones Communications of Virginia, Incorporated.

ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE PROPOSED VACATION OF A PORTION OF HOWELLS ROAD AND AN UNNAMED STREET (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 29, 1996 at 4:00 p.m.** on the proposed vacation of a portion of Howells Road and an unnamed street.

ADMIN 9 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN EASEMENTS NECESSARY FOR THE CONSTRUCTION OF NOISE BARRIERS ALONG THE FAIRFAX COUNTY PARKWAY/FRANCONIA-SPRINGFIELD PARKWAY FROM HOOES ROAD TO BACKLICK ROAD (SPRINGFIELD AND LEE DISTRICTS)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **May 13, 1996 at 4:00 p.m.** on the acquisition of interests in real property necessary for the construction of noise barriers along the Fairfax County Parkway/Franconia-Springfield Parkway from Hooes Road to Backlick Road, Project 064148.

ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF A CERTAIN STORM DRAINAGE EASEMENT NECESSARY FOR THE CONSTRUCTION OF THE VANNOY PARK, THIRD ADDITION DEVELOPER DEFAULT PROJECT (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **May 13, 1996 at 4:00 p.m.** on the acquisition of a storm drainage easement necessary for the construction of Project U00006 - Vannoy Park, Third Addition Developer Default Project.

ADMIN 11 - AUTHORIZATION FOR THE GENERAL DISTRICT COURT TO APPLY TO THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES FOR STATE GRANT FUNDING UNDER THE COMPREHENSIVE COMMUNITY CORRECTIONS ACT FOR LOCAL RESPONSIBLE OFFENDERS

Authorized the General District Court to apply to the Virginia Department of Criminal Justice Services for grant funding in the amount of \$394,481 under the Comprehensive Community Corrections Act for Local Responsible Offenders as a continuation of an award accepted by the Board on October 16, 1995. The grant period is July 1, 1996 through June 30, 1997.

ADMIN 12 - AUTHORIZATION FOR THE GENERAL DISTRICT COURT TO APPLY TO THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES FOR GRANT FUNDING UNDER THE PRETRIAL SERVICES ACT

Authorized the General District Court to apply to the Virginia Department of Criminal Justice Services for state funding in the amount of \$260,774 under the Pretrial Services Act as a continuation of the award approved by the Board on October 16, 1995. The grant period is July 1, 1996 through June 30, 1997.

ADMIN 13 - ACCEPTANCE OF ABILITY TO PAY POLICY FOR EARLY INTERVENTION

Approved the establishment of an Ability to Pay Policy for Early Intervention which was jointly developed by parent representatives and the Fee Policy Committee of the Fairfax-Falls Church Community Services Board (CSB).

ADMIN 14 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES) REGARDING REVISIONS TO THE POLICE OFFICERS, SUPPLEMENTAL AND UNIFORMED RETIREMENT SYSTEMS AS A RESULT OF INTERNAL REVENUE SERVICE (IRS) REVIEW

- (A) Authorized the advertisement of a public hearing to be held before the Board on **May 13, 1996 at 4:00 p.m.** on a proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees) regarding proposed revisions to the Police Officers, Supplemental and Uniformed Retirement Systems as a result of Internal Revenue Service (IRS) review.

ADMIN 15 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES) REGARDING REVISION TO REDEFINE MEMBERSHIP SERVICE CREDIT FOR MEMBERS OF THE UNIFORMED RETIREMENT SYSTEM

- (A) Authorized the advertisement of a public hearing to be held before the Board on **May 13, 1996 at 4:00 p.m.** on proposed amendment to the Code of the County of Fairfax, Chapter 3 (County Employees) regarding proposed revision to redefine membership service credit for members of the Uniformed Retirement System.

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7. **A-1 - AUTHORIZATION TO PROCEED WITH COUNTY/SCHOOLS COOPERATIVE EFFORT PRESENTED TO THE REORGANIZATION SUBCOMMITTEE ON MARCH 20, 1996** (Tape 2)

Supervisor Bulova moved that the Board concur in the recommendation of staff and authorize staff to proceed with the County/School Cooperative efforts in the areas discussed at the Reorganization Subcommittee meeting held on March 20, 1996, and outlined in the Memorandum to the Board dated April 8, 1996. This motion was seconded by Supervisor Frey.

Following discussion and input from James P. McDonald, Deputy County Executive for Management and Budget, Fred K. Kramer, Director, Department of General Services, Edward L. Long, Jr., Director, Office of Management and Budget, Supervisor Mendelsohn referred to page 42 of the Memorandum to the Board, specifically the Security and Building, Ground and Custodial Maintenance Sections, and asked to amend the motion by replacing the sentence, "Under review by the Superintendent," with "This

Board, in concept, approves moving forward in these areas subject to working out the details," and this was accepted.

Supervisor Dix referred to the category of Courier and Delivery Services and asked to amend the motion to include a notation that this item will continue to be evaluated for Countywide implications, including other agencies of Fairfax County Government, and will be further evaluated for the potential of out-sourcing with a report to the Board no later than July 1, 1996, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Hyland not yet having arrived.

8. **A-2 - APPROVAL OF AN AGREEMENT BETWEEN THE BOARD OF SUPERVISORS AND THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR FINAL DESIGN OF ROUTE 28/ROUTE 29 INTERCHANGE (SULLY DISTRICT)** (Tape 2)

Supervisor Frey moved that the Board concur in the recommendation of staff and authorize the County Executive to execute an agreement between Fairfax County and the Virginia Department of Transportation (VDOT) for a final design of Project 64104, Route 28/Route 29 Interchange in Subfund 463, Primary and Secondary Road Bond Construction. This motion was seconded by Supervisor Dix.

Following discussion, Supervisor Frey amended his motion to include a request for staff to examine the costs involved to meet the additional standards necessary to upgrade this project to make it eligible for Federal dollars, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Hyland not yet having arrived.

9. **A-3 - WOODROW WILSON BRIDGE IMPROVEMENT STUDY LOCATION PUBLIC HEARING (COUNTYWIDE)** (No Tape)

(NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk's Summary Item CL#62.)

10. **C-1 - REVISIONS TO THE CURRENT SMALL AND MINORITY BUSINESS ENTERPRISE PROGRAM ADVISORY COMMISSION CHARTER AND BY-LAWS** (Tape 2)

The Board next considered an Item contained in the Memorandum to the Board dated April 8, 1996 regarding revisions to the current Small and Minority Business Enterprise Program Advisory Commission Charter and By-Laws.

Following discussion, Chairman Hanley announced that consideration of this matter will be deferred until the next Board meeting to allow Board Members additional time for review.

11. **C-2 - PURCHASE OF RIGHTS-OF-WAY AND EASEMENTS VACATED OR ABANDONED BY THE COUNTY (COUNTYWIDE)** (Tape 2)

The Board next considered an Item contained in the Memorandum to the Board dated April 8, 1996 regarding consideration of a policy to require, as a condition of vacation and abandonment of County rights-of-way and easements, abutting property owners to purchase the property interests which they acquire as a result of a vacation or abandonment.

Following discussion, Chairman Hanley relinquished the Chair to Acting-Chairman Dix and asked unanimous consent that this matter be added to the agenda for Budget Subcommittee discussions. Without objection, it was so ordered.

Supervisor Mendelsohn asked unanimous consent that the Board direct staff to respond with its prediction of what might happen if this policy is adopted by the Board. Without objection, it was so ordered.

Following additional discussion, with input from Shiva K. Pant, Director, Office of Transportation, Supervisor Connolly asked unanimous consent that the Board direct staff to review recent vacations/abandonments and estimate what the approximate costs might have been to those participants involved. Without objection, it was so ordered.

Acting-Chairman Dix returned the gavel to Chairman Hanley.

12. **I-1 - INTERNATIONAL BUILDING SAFETY WEEK (COUNTYWIDE)** (Tape 2)

The Board next considered an Item contained in the Memorandum to the Board dated April 8, 1996 announcing that International Building Safety Week is April 7-13, 1996 and the Department of Environmental Management (DEM) is conducting a campaign to promote and increase public awareness of building safety in Fairfax County.

13. **I-2 - STAFF SUMMARIES OF JANUARY AND FEBRUARY 1996, TRANSPORTATION ADVISORY COMMISSION (TAC) MEETINGS (COUNTYWIDE)** (Tape 2)

The Board next considered an Item contained in the Memorandum to the Board dated April 8, 1996 presenting the Staff Summaries of January and February 1996, Transportation Advisory Commission (TAC) meetings.

14. **I-3 - FAIRFAX COUNTY PARKWAY/FANCONIA-SPRINGFIELD PARKWAY STATUS REPORT (COUNTYWIDE)** (Tape 2)

The Board next considered an Item contained in the Memorandum to the Board dated April 8, 1996 presenting the March 26, 1996 Fairfax County Parkway/Fanconia-Springfield Parkway Status Report.

Chairman Hanley relinquished the Chair to Acting-Chairman Dix and asked unanimous consent that the Board direct staff to designate a date and time to celebrate the opening of the last 1.4 mile segment of the Parkway. Without objection, it was so ordered.

Acting-Chairman Dix returned the gavel to Chairman Hanley.

There was further discussion with input from Shiva K. Pant, Director, Office of Transportation (OT), and Katharine D. Ichtter, Chief, Highway Operations Division, OT.

15. **I-4 - STATUS REPORT ON HIGHWAY PROJECTS IN THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SIX-YEAR IMPROVEMENT PROGRAMS (COUNTYWIDE)** (Tape 2)

The Board next considered an Item contained in the Memorandum to the Board dated April 8, 1996 presenting the Status Report on Highway Projects in the Virginia Department of Transportation (VDOT) Six-Year, Transportation Bond, and Revenue Sharing Programs.

16. **I-5 - FAIRFAX COUNTY GOVERNMENT TELECOMMUTING PROGRAM** (Tape 2)

The Board next considered an Item contained in the Memorandum to the Board dated April 8, 1996 requesting authorization for staff to continue the telecommuting program as a work option using the policies and procedures developed for the pilot.

The staff was directed administratively to proceed as proposed.

17. **I-6 - STATE CORPORATION COMMISSION'S (SCC) FINAL ORDER ON APPLICATION OF WASHINGTON GAS LIGHT COMPANY, VIRGINIA DIVISION, FOR A GENERAL INCREASE IN ITS RATES AND TO REVISE ITS TARIFFS, SCC CASE NUMBER PUE940031** (Tape 2)

The Board next considered an Item contained in the Memorandum to the Board dated April 8, 1996 presenting the State Corporation Commission's (SCC) Final Order on Application of Washington Gas Light Company, Virginia Division, for a general increase in its rates and to revise its tariffs, SCC Case Number PUE940031.

There was a brief discussion of this item.

18. **I-7 - HEARING EXAMINER ISSUES RECOMMENDATIONS ON APPLICATION OF COMMONWEALTH GAS SERVICES, INCORPORATED FOR A GENERAL INCREASE IN NATURAL GAS RATES, STATE CORPORATION COMMISSION (SCC) CASE NUMBER PUE950033** (Tape 2)

The Board next considered an Item contained in the Memorandum to the Board dated April 8, 1996 presenting the Hearing Examiner recommendations on Application of Commonwealth Gas Services, Incorporated for a general increase in natural gas rates, State Corporation Commission (SCC) Case Number PUE950033.

There was a brief discussion of this item.

19. **I-8 - FEDERAL COMMUNICATIONS COMMISSION'S (FCC) MEMORANDUM OPINION AND ORDER ON MEDIA GENERAL CABLE'S CABLE PROGRAMMING SERVICE RATE FOR THE PERIOD SEPTEMBER 1, 1993 THROUGH JULY 14, 1994** (Tape 2)

The Board next considered an Item contained in the Memorandum to the Board dated April 8, 1996 presenting the Federal Communications Commission's (FCC) Memorandum Opinion and Order on Media General Cable's Programming Service Rate for the period September 1, 1993 through July 14, 1994.

Chairman Hanley expressed her appreciation to staff for including this item in today's agenda.

20. **I-9 - INDUSTRIAL DEVELOPMENT AUTHORITY BOND SALE FOR INOVA**
(Tape 2)

The Board next considered an Item contained in the Memorandum to the Board dated April 8, 1996 announcing that on March 21, 1996, the Industrial Development Authority authorized the issuance of \$104 million of bonds to finance capital projects for Inova. It is anticipated that the remaining \$116 million of bonds will be authorized and issued by the Industrial Development Authority when market conditions improve to the point where the refunding is financially attractive.

There was a brief discussion of this item with input from Robin R. Mullet, Assistant Director, Affordable Health Care Program, Department of Health.

21. **I-10 - AWARD OF CONTRACT FOR CUSTODIAL BANKING SERVICES**
(Tape 2)

The Board next considered an Item contained in the Memorandum to the Board dated April 8, 1996 requesting authorization for staff to award a contract to State Street Bank and Trust Company to provide custodial banking services to the Retirement Systems.

The staff was directed administratively to proceed as proposed.

22. **I-11 - AWARD OF DESIGN CONTRACT ADDENDUM FOR ROUTE 28/ROUTE**

29 INTERCHANGE (SULLY DISTRICT) (Tape 2)

The Board next considered an Item contained in the Memorandum to the Board dated April 8, 1996 requesting authorization for staff to award a contract addendum to Dewberry and Davis in the amount of \$371,904 for completion of the Route 28/Route 29 Interchange design plans.

The staff was directed administratively to proceed as proposed.

23. **I-12 - AWARD OF CONTRACT - HAYFIELD ROAD (LEE DISTRICT)** (Tape 2)

The Board next considered an Item contained in the Memorandum to the Board dated April 8, 1996 requesting authorization for staff to:

- Award a contract to Tavares Concrete Company, Incorporated in the amount of \$787,645.30 for the construction of Project 064142, Hayfield Road, in Subfund 463, Primary and Secondary Road Bond Construction; and
- Reallocate funds as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

24. **I-13 - AWARD OF CONTRACT - MCHENRY HEIGHTS STORM DRAINAGE IMPROVEMENTS (PROVIDENCE DISTRICT)** (Tape 2)

The Board next considered an Item contained in the Memorandum to the Board dated April 8, 1996 requesting authorization for staff to award a contract to Granja Contracting, Incorporated, in the amount of \$92,172.50 for construction of Project AC0334, McHenry Heights Storm Drainage Improvements, in Subfund 490, Pro Rata Share Storm Drainage Construction.

The staff was directed administratively to proceed as proposed.

25. **I-14 - CONTRACT AWARD - DESIGN SERVICES FOR DRIVING RANGE AND COURSE REDESIGN AT GREENDALE GOLF COURSE (LEE DISTRICT)**
(Tape 2)

The Board next considered an Item contained in the Memorandum to the Board dated April 8, 1996 requesting authorization for staff to award a contract to Lindsay Ervin and Associates, Incorporated of Crofton, Maryland, in the amount of \$104,920 to prepare construction documents for a 20 station driving range and reconfiguration of up to four existing holes at Greendale Golf Course as part of Project 475888, Park Building Renovation, Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

BOARD MATTERS

26. **PROCLAMATION DESIGNATING THE WEEK OF MAY 19 THROUGH MAY 25, 1996 AS "PUBLIC WORKS WEEK" IN FAIRFAX COUNTY** (Tape 2)

Chairman Hanley relinquished the Chair to Acting-Chairman Dix and moved that the Board direct staff to prepare a Proclamation designating the week of May 19 through May 25, 1996 as "**Public Works Week**" in Fairfax County and invite John W. di Zerega, Director, Department of Public Works, and appropriate staff to receive this Proclamation at the May 20, 1996 Board meeting. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Hyland not yet having arrived.

27. **SMALL, MINORITY, AND WOMEN-OWNED BUSINESS PROGRAM RESULTS** (Tape 2)

Chairman Hanley distributed to Board Members a copy of the letter from the Economic Development Authority (EDA) which is in response to the Board's request for a report from the EDA on the efforts of the Small, Minority, and Women-Owned Business Program.

28. **REVISED STATE AIR POLLUTION REGULATIONS ON OPEN BURNING** (Tape 2)

Chairman Hanley referred to a memorandum dated March 20, 1996 from the County Executive on the "Revised State Air Pollution Regulations on Open Burning" and noted that more elaboration is needed as the Board proceeds through its budget process.

Accordingly, Chairman Hanley asked unanimous consent that the Board include this memorandum as a matter for attention at the upcoming Budget Workshop. Without objection, it was so ordered.

29. **FAIRFAX COUNTY VACANCY REPORT** (Tape 2)

Chairman Hanley called the Board's attention to the recent Fairfax County Vacancy Report and asked unanimous consent that the Board direct staff to respond with information at the next meeting of the Budget Subcommittee regarding:

- How many, if any, are grant-funded positions;
- How many, if any, of the recommendations in the Lines of Business (LOB) to be eliminated are grant-funded positions; and
- How many grant-funded positions the County generally has.

Supervisor Mendelsohn asked to amend the request to include how many of the County's current General Funded positions started out as grant-funded positions and have gradually evolved into full County-funded positions, and this was accepted.

Supervisor McConnell asked to amend the request to include information as to whether there is any way to anticipate, prior to a grant application, whether a particular agency or department is where the grant-funded position is needed or can be used, and this was

accepted.

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

Acting-Chairman Dix returned the gavel to Chairman Hanley.

Supervisor Dix referred to questions which have been accumulating which require the attention of the Budget Subcommittee and asked unanimous consent that the Board direct staff to forward the individual questions to the Subcommittee as they come in, rather than waiting until several have accumulated, in order to expedite the budget process. Without objection, it was so ordered.

AM:am

30. **MADISON HIGH SCHOOL'S LITERARY MAGAZINE EARNED THE HIGHEST AWARD STATUS** (Tape 3)

Supervisor Dix announced that the Madison High School's literary magazine, entitled *Heritage*, earned the Highest Award status in the 12th Annual National Council of Teachers of English Program to recognize excellence in student literary magazines. It was the only school in Virginia and one of 47 schools in the United States, Canada, and in American schools abroad to achieve the honor.

Supervisor Dix moved that the Board direct staff to invite the student editors of the *Heritage*, Sarah Culled, Brenda Pettit, and Ms. Bernise von zur Muehlen, their faculty advisor, to appear before the Board to be recognized for their excellent efforts. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Hyland not yet having arrived.

31. **PROCLAMATION DESIGNATING MAY 4 THROUGH 11, 1996 AS "NATIONAL SAFE KIDS WEEK" IN FAIRFAX COUNTY** (Tape 3)

Supervisor Dix stated studies have shown that injuries are the leading killer of kids in the United States. More children die from injuries each year than from all childhood diseases combined. This year nearly 8,000 children will be killed by an injury, and another 50,000 will be permanently disabled. National Safe Kids Week, which is held each year to focus on this important issue is May 4 through 11, 1996.

In support of this week, the Fairfax County Safe Kids Coalition, led by Fairfax Hospital for Children, is planning a community "Safe Kids Day" to raise the level of awareness of preventing childhood injury. Activities include a car safety seat check, a bike rodeo, a bike

helmet check, and a fire safety and puppet show by the Fairfax County Fire and Rescue Department. Also Vince and Larry, "the Crash Dummies" of TV, fame will be there along with safety displays and games, playground safety and more.

Therefore, Supervisor Dix moved that the Board direct staff to invite Ms. Nicki Bazaco and other members of the Safe Kids Coalition who have worked on this project to appear before the Board on April 29, 1996 to receive a Proclamation recognizing May 4 through 11, 1996 as "National Safe Kids Week" in Fairfax County. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Hyland not yet having arrived.

32. **REQUEST FOR CONCURRENT PROCESSING OF THE FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION FDPA 86-C-029-2, DULLES CORNER PROPERTIES II, LIMITED PARTNERSHIP** (Tape 3)

Supervisor Dix stated that Dulles Corner Properties II, Limited Partnership, has applications pending in the County to establish a uniform Conceptual Development Plan for the entire Dulles Corner project and to amend a currently approved Final Development Plan (FDP) to include the development of another office building. The applications are currently being reviewed by staff and have a scheduled Planning Commission public hearing date of May 29, 1996.

Supervisor Dix moved that the Board authorize the Director of the Department of Environmental Management (DEM) to accept the Site Plan for the new office building which is located on parcel five for concurrent processing with the Final Development Plan Amendment request. He noted that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and it does not prejudice the consideration of this Final Development Plan Amendment Application in any way. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Hyland not yet having arrived.

33. **REQUEST FOR CONCURRENT PROCESSING OF THE FINAL DEVELOPMENT PLAN APPLICATION FDP 87-C-060-13, BATMAN CORPORATION** (Tape 3)

Supervisor Dix stated that the Batman Corporation has submitted a Final Development Plan application to construct townhouses on a portion of Land Bay Six in McNair Farms.

Decision on this application is pending by the Planning Commission, which held its public hearing on this matter on May 29, 1995.

Supervisor Dix moved that the Board authorize the Director of the Department of Environmental Management (DEM) to accept the Site Plans for this townhouse project for concurrent processing with the Final Development Plan (FDP) request. This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and it does not prejudice the consideration of this Final Development Plan application in any way. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Hyland not yet having arrived.

34. **REQUEST FOR CONCURRENT PROCESSING OF THE FINAL DEVELOPMENT PLAN (FDP) FOR MCNAIR FARMS** (Tape 3)

Supervisor Dix stated that the Batman Corporation has submitted a Final Development Plan (FDP) for storm water management ponds A, B, and C at McNair Farms. These ponds coordinate the storm water management for several of the McNair Farms parcels.

Supervisor Dix moved that the Board authorize the Director of the Department of Environmental Management (DEM) to accept the Site Plans for ponds A, B, and C for concurrent processing with the Final Development Plan (FDP) request. He noted that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and it does not prejudice the consideration of this FDP Application in any way. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Hyland not yet having arrived.

35. **REQUEST FOR CONCURRENT PROCESSING OF THE SITE PLAN FOR THE AEROSPACE CORPORATION** (Tape 3)

Supervisor Frey said that the Aerospace Corporation intends to file a Site Plan for property in Westfields. The applicant has applied for modified processing and is requesting concurrent processing of the Site Plan and building permits. In the initial phase, this project will include 150,000 square feet of office space with ultimate buildout at 300,000 square feet.

Therefore, Supervisor Frey moved that the Board direct the Department of Environmental Management (DEM) to concurrently and expeditiously process the Site Plan and building permits for the Aerospace Corporation for property in Westfields located on Tax Map 44-1 ((4)) part of parcel 31. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Hyland not yet having arrived.

36. **REQUEST TO CLARIFY MOTION FOR SPECIAL EXCEPTION APPLICATION SE 94-Y-029** (Tape 3)

Supervisor Frey stated that on January 9, 1995, the Board approved Special Exception SE 94-Y-029, filed by the Fairfax County Department of Housing and Community Development, to allow a cluster subdivision on 45.17 acres in the R-C District for eight single family residences with dedication of 21.14 acres to Fairfax County for public park which would include three ball fields.

Supervisor Frey mentioned that the Board also approved providing the Park Authority with a license to use and develop the County property designated for public park so the Southwest Youth Association (SYA) could process a Rough Grading Plan (8548-RGP-01-1) to allow for interim preparation of the three ball fields for future construction.

Supervisor Frey stated that on October 13, 1995 the Board approved authorizing the

County Executive to execute a covenant on the County owned property to satisfy the requirement of one of the Development Conditions dealing with conservation easements.

This motion referenced the execution of covenants on the 21.14 acre portion of the site designated for public park, but on the advice of the County Attorney's Office, he asked unanimous consent that the Board clarify the October 13, 1995 motion to reflect that the County Executive was authorized to execute a covenant on appropriate portions of the entire 45.17 acre parcel associated with Special Exception Application SE 94-Y-029 as depicted on the Special Exception Plat in order to satisfy the requirement in Condition Number Seven concerning conservation easements. Without objection, it was so ordered.

37. **REQUEST FOR SIMULTANEOUS PROCESSING OF THE PRELIMINARY AND FINAL PLANS FOR REZONING APPLICATION RZ 95-Y-059, FAIR OAKS GLEN, L.L.C.** (Tape 3)

Supervisor Frey stated that Rezoning Application RZ 95-Y-059, in the name of Fair Oaks Glen, L.L.C. is scheduled for Planning Commission public hearing on April 18, 1996. To accelerate settlements on some of the parcels involved in this consolidation application, which in turn will assist some of the long-time residents who, in some cases, have substandard plumbing facilities, the applicant is requesting simultaneous processing of the Preliminary and Final Site Plans.

Supervisor Frey moved that the Board authorize the Department of Environmental Management (DEM) to simultaneously process the Preliminary and Final Plans for property associated with Rezoning Application RZ 95-Y-059. This authorization, of course, is not a guarantee of approval for the rezoning application and any submissions by the applicant are at his own risk. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Hyland not yet having arrived.

38. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 95-Y-016 AND SPECIAL EXCEPTION APPLICATION SE 95-Y-024, CHANTILLY 50-28 ASSOCIATES LIMITED PARTNERSHIP (SULLY DISTRICT)** (Tape 3)

Supervisor Frey announced his intent later in the meeting, at the appropriate time, to defer the public hearing on Rezoning Application RZ 95-Y-016 and Special Exception Application SE 95-Y-024.

(NOTE: Later in the meeting, this public hearing was deferred. See Clerk's Summary Item CL#65.)

PMH:pmh

39. **RESIGNATION OF RICHARD BLISS, DRANESVILLE DISTRICT REPRESENTATIVE, FAIRFAX COUNTY PARK AUTHORITY** (Tape 4)

(BACs)

Supervisor Mendelsohn announced that Richard Bliss, Dranesville District Representative, Fairfax County Park Authority, had resigned. He added that he was accepting resumes for the position.

Supervisor Mendelsohn moved that the Board direct staff to invite Mr. Bliss to appear before the Board to be recognized for efforts to save trees and land for the citizens of Fairfax County. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Hyland not yet having arrived.

40. **REQUEST FOR A RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) FOR RESIDENTS OF SIXTH STREET SOUTH** (Tape 4)

Supervisor Gross said that residents of Sixth Street South in Falls Church have reported that employees from two nursing homes in Arlington County park their cars on Sixth Street South, leaving no spaces for the Fairfax County residents who live on that street. Residents are convinced that this problem is only getting worse, including finding dumped trash on lawns and witnessing car repair performed during lunch hours.

Supervisor Gross stated that she has forwarded to the Office of Transportation petitions signed by the residents of Sixth Street South, asking for implementation of a Residential Permit Parking District (RPPD). Supervisor Gross moved that the Board direct staff to expedite this request. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Dix and Supervisor Kauffman being out of the room, Supervisor Hyland not yet having arrived.

41. **"HEALTHFEST96" SCHEDULED FOR SATURDAY, APRIL 13, 1996 AT NORTHERN VIRGINIA COMMUNITY COLLEGE (NVCC)** (Tape 4)

Supervisor Gross said that the Annandale Chamber of Commerce, in conjunction with the Annandale Campus of Northern Virginia Community College (NVCC), will be hosting "HealthFest96" this Saturday, April 13, 1996. The festival will take place from 9:00 a.m. until 3:00 p.m. at the Richard J. Ernst Community Cultural Center, located at 8333 Little River Turnpike in Annandale.

42. **DEFERRAL OF THE PUBLIC HEARING FOR OUT-OF-TURN PLAN AMENDMENT S95-III-P1 (BANTING DRIVE)** (Tape 4)

Supervisor Bulova reminded Board Members that last February, the Board deferred an Out-of-Turn Plan Amendment for some parcels located off Braddock Road near the State Police Headquarters until May 1996. She added that despite the additional time, the Plan Amendment is not ready to go forward.

Supervisor Bulova moved that the Board direct staff to defer Out-of-Turn Plan Amendment S95-III-P1. New public hearing dates will be set later this year. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Hyland not yet having arrived.

43. **AMANDA PLACE - REZONING APPLICATION RZ 95-B-021** (Tape 4)

Supervisor Bulova noted that the Board approved concurrent review of Rezoning Application RZ 95-B-021 and the Preliminary Plan. Since then, the Board has approved the rezoning of 18 lots at the intersection of Braddock and Burke Station Roads. To continue to make up for lost time, the applicant is requesting concurrent review of the Preliminary and the Final Subdivision Plans.

Therefore, Supervisor Bulova moved that the Board direct staff to concurrently review the Preliminary and Final Subdivision Plans for Amanda Place. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Hyland not yet having arrived.

44. **APPOINTMENT TO THE COMMUNITY IMPROVEMENT COMMITTEE**
(Tape 4)

(APPT)

Supervisor Bulova moved the appointment of Ms. Susan Hurd as the Braddock District Representative to the Community Improvement Committee. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Hyland not yet having arrived.

45. **RESIGNATION OF WILTON H. DICKERSON, PROVIDENCE DISTRICT REPRESENTATIVE, FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA)** (Tape 4)

(BACs)

Supervisor Connolly announced that Wilton Dickerson, Providence District Representative, Fairfax County Redevelopment and Housing Authority (FCRHA) has resigned.

Therefore, Supervisor Connolly moved that the Board direct staff to invite:

- Mr. Dickerson to appear before the Board to be recognized for all he has done for the County's neediest citizens and neighborhoods;

and

- Delegate Jim Scott, who appointed Mr. Dickerson a decade ago when he was the Providence District Supervisor.

This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor Hyland not yet having arrived.

46. **INTENT TO DEFER THE PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 95-P-056 (TEMPLETON AND TEMPLETON PARTNERSHIP) (PROVIDENCE DISTRICT)** (Tape 4)

Supervisor Connolly announced his intent later in the meeting, at the appropriate time, to defer the public hearing on Special Exception Application SE 95-P-056.

(NOTE: Later in the meeting, this public hearing was deferred. See Clerk's Summary Item CL#64.)

NV:nv

47. **REQUEST FOR EXPEDITED REZONING AND CONCURRENT PROCESSING FOR THE FAIRFAX STATION BRANCH POST OFFICE** (Tape 5)

Supervisor McConnell called the Board's attention to her written Board Matter concerning a request from the United States Postal Service for an expedited Rezoning and concurrent processing of their plans for the proposed Fairfax Station Branch Post Office. She noted that the proposed post office is funded in the current fiscal year and that the Postal Service is concerned about meeting this time frame.

Accordingly, Supervisor McConnell moved that the Board direct staff to expedite the Rezoning Application and concurrently process the Site Plans. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor Hyland not yet having arrived.

48. **APPOINTMENT TO THE LOWER POTOMAC LAND USE CITIZENS ADVISORY COMMITTEE FOR THE DISTRICT OF COLUMBIA (D.C.) DEPARTMENT OF CORRECTIONS PROPERTY LOCATED IN LORTON, VIRGINIA** (Tape 5)

(APPT)

Supervisor McConnell noted that there had been some confusion concerning an appointment to the Lower Potomac Land Use Citizens Advisory Committee for the District of Columbia (D.C.) Department of Corrections Property Located in Lorton, Virginia. To clarify the matter, she moved the appointment of Mr. Albert Akers to serve as a member of this Committee. This motion was seconded by Chairman Hanley and carried by a vote of seven, Supervisor Kauffman and Supervisor Mendelsohn being out of the room, Supervisor Hyland not yet having arrived.

49. **REPRESENTATION OF THE ECONOMIC ADVISORY COMMITTEE (EAC) ON THE TELECOMMUNICATIONS (MONOPOLES) LAND USE REGULATIONS TASK FORCE** (Tape 5)

(BACs)

Supervisor McConnell reminded the Board that at its meeting on March 18, 1996, she had mentioned that the Economic Advisory Commission (EAC) is interested in representation on the Telecommunications (Monopoles) Land Use Regulations Task Force. Accordingly, she moved:

- That the Board establish this EAC representative position on the Telecommunications (Monopoles) Land Use Regulations Task Force; and
- The appointment of Mr. Frank McDermott as the EAC representative.

This motion was seconded by Supervisor Bulova.

Following discussion, Chairman Hanley announced that this item would be deferred pending Supervisor McConnell's consultation with Peter F. Murphy, Jr., Chairman, Telecommunications Land Use Regulations Task Force.

50. **OUT-OF-TURN PLAN AMENDMENT** (Tape 5)

Supervisor Kauffman moved that the Board authorize an Out-of-Turn Plan Amendment to support Rezoning Application RZ 96-L-008 and Special Exception Application SE 96-L-014, the Holly Hills Self-Storage Warehouse proposal. He noted that this item is subject to review and action by staff, the Lee District Land Use Committee, and the Board. He stated that the development concept has been reviewed and accepted by the Southeast Fairfax Development Corporation (SFDC) and the Groveton Civic Association.

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

51. **TRANSPORTATION ADVISORY COMMISSION (TAC) EFFORTS TO REVIEW TRANSIT ROUTE EFFICIENCY AND EFFECTIVENESS** (Tape 5)

(BACs)

Supervisor Kauffman explained that this past week he became aware of efforts by the Transportation Advisory Commission (TAC) to develop a quantifiable method to review transit route efficiency and effectiveness. The suggestion would also incorporate actions to enhance a failing route's chances of survival. The current method is based solely on ridership and subsidy levels without regard for applying short term incentives. The TAC noted that the present analysis is very limited, a snapshot in time, and does not recommend corrective measures. Noting the importance of public transit to the County's well-being, Supervisor Kauffman asked unanimous consent that the Board direct the:

- Staff of the Office of Transportation (OT) to work aggressively with the TAC upon this endeavor; and
- TAC and OT Transit Work Group to provide a timely, not to exceed 90 days, progress report to the Board's Transportation Subcommittee for review and further direction.

Without objection, it was so ordered.

Following discussion, Supervisor McConnell asked unanimous consent that the Board direct staff to involve the TAC in the review and prioritization of the Fairfax County Parkway feeder system regarding heavy travel and necessary improvements. Without objection, it was so ordered.

A brief discussion ensued.

52. **ZONING VIOLATIONS** (Tape 5)

Supervisor Kauffman stated that he had received a number of constituent complaints regarding zoning violations, specifically "junk" or inoperable vehicles, as well as vehicles without tags or County decals. He noted that many of these cases overlap enforcement by the Police Department and the Zoning Enforcement Branch (ZEB) of the Zoning Administration Division (ZAD), Office of Comprehensive Planning (OCP). He cited the cumbersome necessity of calling both offices, the perceived lack of follow-up, and the lack of investigation status updates.

Accordingly, Supervisor Kauffman asked unanimous consent that the Board direct staff to provide the Board with an Information Item with a coordinated "one-stop shopping" approach to handling zoning enforcement investigations of junk and inoperable vehicles as well as reports on missing tags and County decals. Without objection, it was so ordered.

53. **RECESS/EXECUTIVE SESSION** (Tape 5)

At 11:30 a.m., Supervisor Connolly moved that the Board recess and go into Executive Session for discussion or consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed 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:

- Status of Erroneous Tax Assessment cases;
- *Board of Supervisors of Fairfax County versus Lauenders, et al.*, At Law Number 93886; and
- Discussion concerning a prospective business and the investing of public funds pursuant to Virginia Code §§ 2.1-344(A)(5) and (6).

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

At 1:50 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Hyland, and with Chairman Hanley presiding.

ACTIONS FROM EXECUTIVE SESSION

54. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 5)

Supervisor Bulova moved that the Board certify that, to the best of its 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 Dix and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hyland not yet having arrived.

55. **SETTLEMENT OF FAIRCENTER LIMITED PARTNERSHIP, ET AL., VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY** (Tape 6)

Supervisor Frey moved that the Board authorize the settlement of *Faircenter Limited Partnership, et al., versus Board of Supervisors of Fairfax County*, At Law Number 135547, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Hyland not yet having arrived.

56. **REDEVELOPMENT OF SCHOOL STREET PROPERTY** (Tape 6)

Supervisor Bulova stated that the County has had several meetings with the City of Fairfax regarding the redevelopment of property owned by the Fairfax County Redevelopment and Housing Authority (FCRHA), the Fairfax School Division, and George Mason University (GMU) on Route 123 between School Street and University Drive. As a result of these meetings a set of principles has been prepared and adopted by the City of Fairfax, and a future course of action has been developed.

Accordingly, Supervisor Bulova moved that the Board:

- Adopt the same principles as have been adopted by the City of Fairfax; and

- Authorize staff to negotiate with the City of Fairfax, the FCRHA, the School Division, and GMU an agreement on the redevelopment on the School Street property. This agreement would be subject to the approval of the Board.

This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Hyland not yet having arrived.

57. **AUTHORIZATION OF THE SETTLEMENT OF TETCOM LIMITED PARTNERSHIP VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA** (Tape 6)

Supervisor Dix moved that the Board authorize the settlement of *Tetcom Limited Partnership versus Board of Supervisors of Fairfax County, Virginia*, At Law Number 140657, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Hyland not yet having arrived.

58. **AUTHORIZATION OF THE SETTLEMENT OF SIXTH CARR LIMITED PARTNERSHIP VERSUS FAIRFAX COUNTY, VIRGINIA** (Tape 6)

Supervisor Kauffman moved that the Board authorize the settlement of *Sixth Carr Limited Partnership versus Fairfax County, Virginia*, At Law Number 128955, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Hyland not yet having arrived.

59. **AUTHORIZATION OF THE FILING OF A SUIT AGAINST POST, BUCKLEY, SCHUH AND JERNIGAN, INCORPORATED** (Tape 6)

Supervisor Kauffman moved that the Board authorize the filing of a suit against Post, Buckley, Schuh and Jernigan, Incorporated, as discussed with the County Attorney in Executive Session. This motion was seconded by Supervisor Gross and carried by a vote of nine, Supervisor Hyland not yet having arrived.

60. **BOARD RECESS/ORDERS OF THE DAY** (Tape 6)

At 1:55 p.m., Chairman Hanley announced that the Board would recess until 2:55 p.m., at which time the Board would take action on Supervisor Hyland's Board Matters and Action Item A-3 - Woodrow Wilson Bridge Improvement Study Location Public Hearing (Countywide) which were deferred earlier in the meeting.

(NOTE: Later in the meeting, action was taken on Action Item A-3. See Clerk's Summary Item CL#62.)

AR:ar

At 3:00 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Dix, Supervisor Kauffman, and Supervisor McConnell, and with Chairman Hanley presiding.

ADDITIONAL BOARD MATTER**61. INTRODUCTION OF MOUNT VERNON DISTRICT SUPERVISOR HYLAND'S MOTHER, SISTER, AND BROTHER (Tape 7)**

Supervisor Hyland introduced his mother, Mrs. Eve Hyland, his sister Christine, and his brother Ted, and warmly welcomed them to the Board Auditorium.

62. A-3 - WOODROW WILSON BRIDGE IMPROVEMENT STUDY LOCATION PUBLIC HEARING (COUNTYWIDE) (Tape 7)

(NOTE: Earlier in the meeting, action on this item was deferred pending the arrival of Supervisor Hyland. See Clerk's Summary Item CL#3.)

Supervisor Hyland moved that the Board endorse Alternatives 3-a (bridge/tunnel combination); 4-a (side-by-side), and 4-b (doubledeck) as acceptable replacement options for the Woodrow Wilson Bridge subject to the following conditions:

- That the selected Alternative be located within or in close proximity to the current alignment of the existing bridge;
- That the selected Alternative be designed to allow for the addition of a future transit connection;
- That the selected Alternative provide for up to 12 lanes with express/local separation;
- That the selected Alternative maintain the Church Street access to the Mount Vernon Memorial Parkway or an alternative that would provide direct access to the parkway;
- That the Route One and Telegraph interchanges be designed to provide continuous flow access between Route One, Telegraph Road and the Beltway;
- Should tolls be required, locate toll facilities on the express lanes in Virginia and the local lanes in Maryland;
- That the selected Alternative provide safe hiker/biker access; and
- Recognizing that the Woodrow Wilson Bridge is part of the United States (U.S.) Interstate System, maximum effort should be made to

increase the share of funding by the Federal Government.

This motion was seconded by Supervisor Connolly.

Following discussion, Supervisor Mendelsohn asked to amend the motion to include an additional condition to read:

- “Providing that no Alternative requires diversion of HAZMAT traffic.”

This was accepted.

Following further discussion, the question was called on the motion, as amended, which carried by a vote of nine, Supervisor McConnell being out of the room.

CM:cm

ADDITIONAL BOARD MATTER

63. **CELEBRATION OF FAIRFAX COUNTY EARTH DAY/ARBOR DAY** (Tape 8)

Chairman Hanley announced that a series of activities for the Earth Day/Arbor Day Celebration will be held on the Annandale Campus of Northern Virginia Community College on Saturday, April 20, 1996, from 11:00 a.m. to 4:00 p.m. The event marks the 26th anniversary of the Earth Day Celebration and the annual observance of Arbor Day. The event is free and open to the public. The rain date for the event is Sunday, April 21, 1996.

64. **DEFERRAL OF PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 95-P-056 (TEMPLETON AND TEMPLETON PARTNERSHIP) (PROVIDENCE DISTRICT)** (Tape 8)

At the request of the applicant, Supervisor Connolly moved to defer the public hearing on Special Exception Application SE 95-P-056 until **May 13, 1996 at 3:30 p.m.** This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

65. **DEFERRAL OF PUBLIC HEARING ON REZONING APPLICATION RZ 95-Y-016 AND SPECIAL EXCEPTION APPLICATION SE 95-Y-024 (CHANTILLY 50-28 ASSOCIATES LIMITED PARTNERSHIP) (SULLY DISTRICT)** (Tape 8)

Supervisor Connolly, on behalf of Supervisor Frey, moved to defer the public hearing on Rezoning Application RZ 95-Y-016 and Special Exception Application SE 95-Y-024 until **May 20, 1996, at 3:30 p.m.** This motion was seconded by Supervisor Kauffman and carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

66. **3:30 P.M. - BOARD DECISION ON DULLES CORNER AS A SITE TO BE**

NOMINATED FOR A MAJOR LEAGUE BALL PARK (Tape 8)

(NOTE: On March 18, 1996, the Board held a public hearing on this matter and deferred its decision until April 8, 1996.)

Following discussion, Supervisor Dix moved that the Board delete the Dulles Corner site from any further consideration for location of a baseball facility. This motion was seconded by Supervisor Connolly.

Following further discussion, Supervisor Frey moved a substitute motion that the Board submit the Dulles Corner site to the Virginia Baseball Stadium Authority and allow it to be considered as a potential location for a major league ball park. This motion was seconded by Supervisor Mendelsohn.

Following further discussion, Supervisor McConnell moved that the Board delete the Engineering Proving Ground (EPG) General Services Administration (GSA) site from the list. This motion died for lack of a second.

Following further discussion, the question was called on the substitute motion, which **FAILED** by a recorded vote of six, Supervisor Frey, Supervisor Gross, Supervisor McConnell, and Supervisor Mendelsohn voting "AYE."

The question was then called on the main motion, which **CARRIED** by a recorded vote of six, Supervisor Frey, Supervisor Gross, Supervisor McConnell, and Supervisor Mendelsohn voting "NAY."

67. **3:30 P.M. - PH ON REZONING APPLICATION RZ 95-Y-016 AND SPECIAL EXCEPTION APPLICATION SE 95-Y-024 (CHANTILLY 50-28 ASSOCIATES LIMITED PARTNERSHIP) (SULLY DISTRICT)** (NoTape)

(NOTE: Earlier in the meeting, action was taken to defer the public hearing on Rezoning Application RZ 95-Y-016 and Special Exception Application SE 95-Y-024. See Clerk's Summary Item CL#65.)

68. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-V-029 (JAGDISH BERRY) (MOUNT VERNON DISTRICT)** (Tape 8)

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 parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Kauffman and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor Gross, and Supervisor Mendelsohn being out of the room.

Supervisor Hyland moved approval of Proffered Condition Amendment Application PCA 88-V-029 subject to the proffers dated April 4, 1996. This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor Mendelsohn being out of the room.

69. **3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX I (FAIRFAX COUNTY SPECIAL SERVICE DISTRICT FOR THE CONTROL OF GYPSY MOTH INFESTATIONS) TO REDUCE THE TAX RATE** (Tape 8)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of March 15, March 22, and March 29, 1996.

Following the public hearing, Supervisor Bulova moved adoption of the proposed amendment to the Code of the County of Fairfax, Appendix I (Fairfax County Special Service District for the Control of Gypsy Moth Infestations) to reduce the tax rate from \$0.0014 per \$100 assessed real property value to \$0.0010 per \$100. This motion was seconded by Supervisor Hyland.

Following discussion, with input from David P. Bobzien, County Attorney, and Michael Long, Assistant County Attorney, the question was called on the motion which carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Kauffman, Supervisor Gross, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Frey and Supervisor Mendelsohn being out of the room.

70. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-P-056 (TEMPLETON AND TEMPLETON PARTNERSHIP) (PROVIDENCE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, action was taken to defer the public hearing on Special Exception Application SE 95-P-056. See Clerk's Summary Item CL#64.)

71. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-C-123 (AMBERWOOD L.C.) (HUNTER MILL DISTRICT)** (Tape 8)

Ms. Tracy L. Steele reaffirmed the validity of the affidavit for the record.

Ms. Steele had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

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

Supervisor Dix moved that the Board:

- Approve Proffered Condition Amendment Application PCA 88-C-123 subject to the executed proffers dated February 26, 1996;
- Reaffirm the modification of the transitional screening; and
- Waive the barrier along the northwest boundary in favor of the landscaping shown on the Generalized Development Plan (GDP).

This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Bulova, Supervisor Frey, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

72. **4:00 P.M. - PH ON DEVELOPMENT PLAN AMENDMENT APPLICATION DPA A-502-6 (11484 WASHINGTON PLAZA WEST, LLC) (HUNTER MILL DISTRICT)** (Tape 8)

Mr. Carlos Montenegro reaffirmed the validity of the affidavit for the record with the addition of the following:

- A contribution to the Friends of Michael Frey in the amount of \$278 in 1995.

Supervisor Dix disclosed the following:

- A contribution to Friends of Bob Dix in excess of \$200 from Paul Lombardi, David Ross, Charles Nelson, Stan Barr, and Carlos Montenegro.

Mr. Montenegro had filed the necessary notices showing that at least 25 adjacent and/or interested parties 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, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Dix moved that the Board approve:

- Development Plan Amendment Application DPA A-502-6 subject to the development conditions dated April 4, 1996; and
- A waiver of the barrier requirement along the northern and western perimeter of the site.

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

73. **4:00 P.M. - PH ON A PROPOSAL TO VACATE AND RELOCATE A PORTION OF A STORM DRAINAGE EASEMENT IN THE WOODSIDE ESTATES SUBDIVISION (DRANESVILLE DISTRICT)** (Tape 8)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of March 22 and March 29, 1996.

Following the public hearing, Supervisor Mendelsohn moved adoption of the Ordinance to vacate and relocate a portion of a storm drainage easement in the Woodside Estates Subdivision, Lot 15. This motion was seconded by Supervisor Kauffman and carried by a vote of eight, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Bulova and Supervisor Gross being out of the room.

74. **ANNOUNCEMENT REGARDING PUBLIC HEARINGS ON SPECIFIC TAX CHANGES AND BUDGET HEARINGS TO REMAIN OPEN THROUGHOUT THE PUBLIC HEARINGS** (Tape 8)

Chairman Hanley announced that, pursuant to the *Code of Virginia*, Section 15.1-729, the public hearings on the specific tax changes and the budget hearings will be kept open until the last day of the public hearings on the budget to permit persons to speak on any issue relevant to those matters.

75. **4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 2 (PROPERTY UNDER COUNTY CONTROL), CHAPTER 101 (SUBDIVISION PROVISIONS), CHAPTER 104 (EROSION AND SEDIMENTATION CONTROL) AND CHAPTER 112 (ZONING ORDINANCE) TO ADJUST FEES CHARGED BY THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT(DEM)** (Tape 8)

Chairman Hanley announced that the public hearing on the proposed amendments to the Code of the County of Fairfax, Chapter 2 (Property Under County Control), Chapter 101

(Subdivision Provisions), Chapter 104 (Erosion and Sedimentation Control) and Chapter 112 (Zoning Ordinance) to adjust fees charged by the Department of Environmental Management (DEM) would be deferred until later in the day.

(NOTE: Later in the meeting, the public hearing was held. See Clerk's Summary Item CL#77.)

76. **4:00 P.M. - PH ON A PROPOSAL TO REQUEST THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) TO PROHIBIT THROUGH TRUCK TRAFFIC ON BENNINGTON WOODS DRIVE (ROUTE 6390) (HUNTER MILL DISTRICT)** (Tape 8)

(Verbatim)

- (R) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of March 22 and March 29, 1996.

Following the public hearing, Supervisor Dix moved adoption of the Resolution requesting the Virginia Department of Transportation (VDOT) to prohibit through truck traffic on a portion of Bennington Woods Drive (Route 6390) between Baron Cameron Avenue (Route 606) and Reston Parkway (Route 602). This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Kauffman, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Gross and Supervisor Mendelsohn being out of the room.

77. **4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 2 (PROPERTY UNDER COUNTY CONTROL), CHAPTER 101 (SUBDIVISION PROVISIONS), CHAPTER 104 (EROSION AND SEDIMENTATION CONTROL) AND CHAPTER 112 (ZONING ORDINANCE) TO ADJUST FEES CHARGED BY THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (DEM)** (Tapes 8-10)

(NOTE: Earlier in the meeting, this public hearing was deferred. See Clerk's Summary Item CL#75.)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of March 15 and March 22, 1996.

Following the public hearing, which included testimony by Mark Trostle, President, Northern Virginia Building Industry Association (NVBIA), Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to circulate an analysis that indicates the Department of Environmental Management (DEM) recovery rate as referred to by Mr. Trostle. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Mendelsohn asked unanimous consent that the Board direct staff to provide information regarding the impact of a metric engineering plan if fee increases were delayed until October 1, 1996. Without objection, it was so ordered.

Supervisor Connolly asked unanimous consent that the Board direct staff to provide the Board with information regarding the fiscal impact of limiting the increase to the six percent per anum as suggested by Mr. Trostle as an alternative to the full 15 percent. Without objection, it was so ordered.

[NOTE: Board decision on the proposed amendments to the Code of the County of Fairfax, Chapter 2 (Property Under County Control), Chapter 101 (Subdivision Provisions), Chapter 104 (Erosion and Sedimentation Control) and Chapter 112 (Zoning Ordinance) to adjust fees charged by the Department of Environmental Management (DEM) is scheduled for **April 22, 1996 at 10:00 a.m.**]

SBE:sbe

ADDITIONAL BOARD MATTER

78. **ANNOUNCEMENT OF PROCEDURES FOR THE PUBLIC HEARINGS** (Tape 10)

Chairman Hanley explained the procedures for conducting the public hearings relating to the budget.

79. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-Y-006 (KINDERCARE LEARNING CENTERS, INCORPORATED) (SULLY DISTRICT)** (Tape 10)

Ms. Tracy L. Steele reaffirmed the validity of the affidavit for the record.

Ms. Steele had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

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

Supervisor Frey moved approval of Special Exception Application SE 94-Y-006 subject to the revised development conditions dated April 8, 1996. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Frey asked unanimous consent that the Board direct staff to reprioritize Stringfellow Road regarding preliminary design money for improvements to it. Without objection, it was so ordered.

80. **4:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 83-D-030-5 (THE MADEIRA SCHOOL) (DRANESVILLE DISTRICT)**
(Tape 10)

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

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

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

Supervisor Mendelsohn moved approval of Special Exception Amendment Application SEA 83-D-030-5 subject to the development conditions dated February 22, 1996. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Mendelsohn moved waiver of the transitional screening and barrier requirements, pursuant to paragraph three of Section 13-304 of the Zoning Ordinance. This motion, the second to which was inaudible, carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor McConnell being out of the room.

81. **4:30 P.M. - PH ON THE PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67 (SANITARY SEWERS AND SEWAGE DISPOSAL) TO REVISE SEWER SERVICE CHARGES AND AVAILABILITY FEES (COUNTYWIDE)** (Tape 10)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of March 22 and March 29, 1996.

The public hearing was held and included testimony by one speaker.

[NOTE: Earlier in the meeting, Chairman Hanley announced that this public hearing would remain open throughout the public hearings on the Budget. See Clerk's Summary Item CL#74. Board decision on the adoption of a proposed amendment to the Code of the County of Fairfax, Chapter 67 (Sanitary Sewers and Sewage Disposal) to revise sewer service charges and availability fees, is scheduled for **April 22, 1996 at 10:00 a.m.**]

82. **4:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), SECTION 4-24-1, TO IMPOSE MOBILE LOCAL TELECOMMUNICATIONS TAX OF 10 PERCENT, WITH A MAXIMUM TAXABLE CEILING OF \$30** (Tape 10)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of March 22 and March 29, 1996.

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

[NOTE: Earlier in the meeting, Chairman Hanley announced that this public hearing would remain open throughout the public hearings on the budget. See Clerk's Summary Item CL#74. Board decision on the adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Section 4-24-1, to implement a tax of 10 percent on Mobile Local Telecommunications Service, with a maximum monthly bill ceiling of \$30, is scheduled for **April 22, 1996 at 10:00 a.m.**]

83. **4:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE) SECTION 4-6-8, TO INCREASE THE TAX FOR ENHANCED 911 EMERGENCY TELEPHONE SERVICE FOR FISCAL YEAR (FY) 1997 AND FY 1998** (Tape 10)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of March 22 and March 29, 1996.

Following the testimony of Mr. Edward Bersoff (Speaker One), Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to circulate to the Board the Legislative authority for this tax, when it was established, and what the changes have been over the years. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

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

[NOTE: Earlier in the meeting, Chairman Hanley announced that this public hearing would remain open throughout the public hearings on the budget. See Clerk's Summary Item CL#74. Board decision on the adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Section 4-6-8, to increase the E-911 telephone service tax from \$1.30 per line per month to \$1.69 per line per month in Fiscal Year (FY) 1997 and to \$2.34 per line per month in FY 1998, is scheduled for **April 22, 1996 at 10:00 a.m.**]

84. **4:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE) SECTION 4-25-1, TO IMPOSE A FEE FOR EMERGENCY MEDICAL SERVICE TRANSPORT** (Tapes 10-11)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of March 22 and March 29, 1996.

Supervisor Dix stated that there has been some discussion about this item as it relates to third party billing. He asked unanimous consent that the Board direct staff to:

- Evaluate the impact of the projected financial benefit to this proposed emergency medical service transport fee if there was a provision in the adoption that addressed only third party collections where eligible;
- Determine whether the Board could legally do this; and
- Report its findings.

Supervisor Dix amended his request to direct staff to also provide the Board with:

- An analysis of imposing this fee incrementally, as opposed to imposing the full \$200 fee;
- An examination of the financial ramifications of a \$100 fee; and
- The legality of a provision that would make this fee applicable only in the case where there was third party collection eligibility.

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

Following discussion, Supervisor Connolly asked unanimous consent that the Board direct staff to confer with the hospitals to determine their willingness to put this fee on the patient's bill rather than having to ask patients to pay before taking them to the hospital. Without objection, it was so ordered.

Following the testimony of Mr. Bill Schmidt (Speaker Four), Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to respond at the next Budget Subcommittee meeting as to whether the fee would jeopardize the Department of Fire and Rescue's real and personal property tax exemption under Section 58.1-3610 of the *Code of Virginia*. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

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

[NOTE: Earlier in the meeting, Chairman Hanley announced that this public hearing would remain open throughout the public hearings on the budget. See Clerk's Summary Item CL#74. Board Decision on the adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Section 4-25-1, to impose a fee of \$200 for Emergency Medical Service Transport provided by vehicles operated by the Fairfax County Fire and Rescue Department is scheduled for **April 22, 1996 at 10:00 a.m.**]

85. **4:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), SECTION 4-6-2, TO RAISE THE TAXABLE MONTHLY BILL CEILING ON NON-RESIDENTIAL UTILITY TAXES** (Tape 11)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of March 22 and March 29, 1996.

Supervisor Dix asked unanimous consent that the Board direct staff to report with:

- Consideration of an incremental approach to the taxable monthly ceiling on non-residential utility taxes;
- Other levels that were considered;
- Accompanying revenue numbers prepared as part of these deliberations; and
- The number of accounts that would continue to exceed the ceiling versus the number that would remain below the ceiling at each of the other levels.

Without objection, it was so ordered.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide:

- An analysis of the number of non-residential utility customers; and
- Details regarding the development of the proposed ceilings.

Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Dix also asked unanimous consent that the Board direct staff to report:

- Whether any of these utilities that are involved in this discussion have a demand charge on the monthly bill;
- What it is based on; and
- Whether it is subject to the tax as well.

Without objection, it was so ordered.

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

[NOTE: Earlier in the meeting, Chairman Hanley announced that this public hearing would remain open throughout the public hearings on the budget. See Clerk's Summary Item CL#74. Board decision on the adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Section 4-6-2, to raise the taxable monthly bill ceiling on non-residential utility taxes is scheduled for **April 22, 1996 at 10:00 a.m.**

86. **4:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), SECTIONS 4-15-1 THROUGH 4-15-8 REGARDING RENT RELIEF FOR THE LOW-INCOME ELDERLY AND DISABLED** (Tape 11)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of March 22 and March 29, 1996.

The public hearing was held and included testimony by one speaker.

[NOTE: Earlier in the meeting, Chairman Hanley announced that this public hearing would remain open throughout the public hearings on the budget. See Clerk's Summary Item CL#74. Board decision on the adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance) regarding the repeal of Sections 4-15-1 through 4-15-8, rent relief for low-income elderly and disabled persons is scheduled for **April 22, 1996 at 10:00 a.m.**

87. **4:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), SECTIONS 30-3-1 AND 30-3-7, AND CHAPTER 30 (HOME CHILD CARE FACILITIES) TO REDUCE THE INSPECTION FREQUENCY, AND ASSESS AN INITIAL AND RENEWAL PERMIT FEE FOR PERSONS CARING FOR YOUNG CHILDREN IN THEIR HOMES** (Tapes 11-12)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of March 22 and March 29, 1996.

Supervisor Dix asked unanimous consent that the Board direct staff to report on the basis of the recommended fee both for the initial and the renewal, and whether it was documented empirically. Without objection, it was so ordered.

The public hearing was held and which included testimony by four speakers.

[NOTE: Earlier in the meeting, Chairman Hanley announced that this public hearing would remain open throughout the public hearings on the budget. See Clerk's Summary Item CL#74. Board decision on the adoption of the proposed amendments to the Code of the County of Fairfax:

- Chapter 4 (Taxation and Finance) to reduce the frequency of home child care inspections from once a year to once every two years; and
- Chapter 30 (Home Child Care Facilities), Article 3 implement a \$140 initial permit fee and an \$80 renewal permit fee;

is scheduled for **April 22, 1996 at 10:00 a.m.**]

88. **4:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-12-6 REGARDING THE ELIMINATION OF EXEMPTION/DISCOUNT ON AUTO DECALS/\$0.01 PERSONAL PROPERTY TAX ON CERTAIN CLASSES OF PERSONAL PROPERTY** (Tape 12)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of March 22 and March 29, 1996.

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

[NOTE: Earlier in the meeting, Chairman Hanley announced that this public hearing would remain open throughout the public hearings on the budget. See Clerk's Summary Item CL#74. Board decision on the adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic) to eliminate the exemption/discount on auto decals \$0.01 personal property tax on certain classes of personal property is scheduled for April 22, 1996 at 10:00 a. m.]

89. **4:30 P.M. - PH ON ADOPTION OF PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 62 (FIRE PROTECTION) REGARDING FEES** (Tape 12)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of March 22 and March 29, 1996.

The public hearing was held and included testimony by one speaker.

[NOTE: Earlier in the meeting, Chairman Hanley announced that this public hearing would remain open throughout the public hearings on the budget. See Clerk's Summary Item CL#74. Board decision on the adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 62, to increase the fees as outlined in the Memorandum to the Board dated April 8, 1996 is scheduled for April 22, 1996 at 10:00 a.m.]

90. **BOARD RECESS**

At 6:35 p.m. the Board recessed for dinner, and at 7:30 p.m., reconvened in the Board Auditorium with all Members present, and with Chairman Hanley presiding.

91. **7:30 PM - PH ON THE: PROPOSED FISCAL YEAR (FY) 1997 FISCAL PLAN (BUDGET); COUNTY'S AND SCHOOLS' PROPOSED FY 1996 THIRD QUARTER REVIEW; AND CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FY 1997-2001** (Tapes 12-16)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issue of March 22, 1996:

- Proposed adoption of the County's and Schools' proposed Fiscal Year (FY) 1997 Fiscal Plan (Budget);
- Proposed County and Schools' FY 1996 Third Quarter Review; and
- Proposed Capital Improvement Program (CIP) for the Fiscal Years 1997-2001.

ADDITIONAL BOARD MATTER**RECOGNITION OF SCHOOL BOARD MEMBERS STUART D. GIBSON AND ILRYONG MOON** (Tape 12)

Chairman Hanley recognized the presence of Stuart D. Gibson, Hunter Mill District School Board Representative, and Ilryong Moon, Braddock District School Board Representative, and warmly welcomed them to the Board Auditorium.

(Tape 14)

County Government And School Salaries

Following the testimony of Ms. Margaret Byess (Speaker 30), Supervisor McConnell asked unanimous consent that the Board direct staff to return with information on across-the-board increases for both the County and School Division. Without objection, it was so ordered.

The public hearing was held, with testimony being presented by 59 speakers, and scheduled for continuation on Tuesday, April 9, 1996 at 4:00 p.m.

92. **BOARD RECESS** (Tape 16)

At 11:15 p.m. the Board recessed until April 9, 1996 at 4:00 p.m. for continuation of the following public hearings:

- Proposed adoption of the County's and Schools' proposed Fiscal Year (FY) 1997 Fiscal Plan (Budget).
- Proposed County and Schools' FY 1996 Third Quarter Review.
- Proposed Capital Improvement Program (CIP) for the Fiscal Years 1997-2001.