



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.

Board Package

WEDNESDAY

APRIL 18, 1990

(RECESSED)

10-90

AR:ar

The recessed meeting was called to order at 7:10 p.m. with all members being present, with the exception of Supervisor Davis, Supervisor McConnell, Supervisor Pennino, and Supervisor Richards, with Chairman Moore presiding.

Supervisor Davis arrived at 7:50 p.m.

Supervisor McConnell arrived at 7:15 p.m.

Supervisor Pennino arrived at 7:20 p.m.

Supervisor Richards arrived at 7:25 p.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. 7:00 P.M. - PRESENTATION BY THE SCHOOL BOARD ON
THE SCHOOL BOARD'S FISCAL YEAR (FY) 1991
ADVERTISED BUDGET (Tape 1)

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

Ms. Whitney presented to Board Members the School Board's Fiscal Year (FY) 1991 Advertised Budget.

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

3. 7:30 P.M. - CONTINUATION OF PUBLIC HEARINGS ON:
THE PROPOSED ADOPTION OF THE COUNTY EXECUTIVE'S
FISCAL YEAR (FY) 1991 ADVERTISED BUDGET PLAN AND
THE COUNTY SCHOOLS' FY 1990 THIRD QUARTER REVIEW:
PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF
FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE),
ARTICLE 6 (UTILITY TAX), SECTIONS 4-6-1 AND
4-6-2 TO RAISE THE LIMIT AND THE RATE FOR
THE COMMERCIAL UTILITY TAX; AND PROPOSED
AMENDMENT TO CHAPTER 67 (SANITARY SEWERS
AND SEWAGE DISPOSAL), SECTIONS 67-4-2
TO ENACT THESE RATES (TAPES 1-6)

(NOTE: The public hearings on the above-stated issues commenced on Monday, April 16, 1990, and were continued until April 17, 18, and 21, 1990. Board decision on these issues have been scheduled for Monday, April 30, 1990.)

Certificates of Publication were filed from the Editors of the Journal, Northern Virginia Sun, and the Washington Post showing that said notice of the public hearings had been duly advertised in those Newspapers in the issues of:

- Proposed Consumer Utility Tax Increase: Journal and Post, March 23 and March 30, 1990;
- Proposed Sewer Charge Increase: Journal and Post, March 23 and March 30, 1990;
- Proposed Tax Increase: Journal and Post, March 30, 1990;
- Proposed Budget: Journal and Post, March 30, 1990;
- Brief Form: Journal and Sun, March 30 and April 6, 1990; and
- Third Quarter Review: Journal and Post, April 6, 1990.

Following testimony by Mr. Mike Anzilotti (Speaker 81), Chairman Moore relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that the Board direct staff to provide additional information regarding direct and/or pass through utility billing within shopping centers in the County. She suggested that staff contact company representatives on the speakers list who have presented testimony regarding the utility tax. Without objection, it was so ordered.

Acting-Chairman Alexander returned the gavel to Chairman Moore.

The public hearing was held with 68 speakers presenting testimony.

Supervisor Davis asked unanimous consent that the Board direct staff to provide additional information regarding the five cent cap (to include specific recommendations on working within the five cent cap from the County side rather than two and one-half cents from each side). Without objection, it was so ordered.

Following a discussion regarding the rate at which multi-family residential condominiums are taxed for utilities, Supervisor Davis asked unanimous consent that the Board direct staff to determine if these multi-family units are taxed at the residential or the commercial rate. Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct staff to submit the following:

- Comments and recommendations with regard to the report submitted by the Fairfax County Chamber of Commerce outlining the impact of previous and/or proposed actions by the Board on the Business, Professional and Occupational License (BPOL) and the commercial utility tax; and
- A comparison of the increases and the tax burden to the individual person vis'a vis a business in Fairfax County, to include a typical business for the past ten years, as opposed to the increases to an individual in the same period of time.

Without objection, it was so ordered.

Supervisor Bulova asked unanimous consent that the Board direct staff to determine what the BPOL tax revenue would be if the BPOL tax were raised within two cents of the State cap and if the exemption were raised to \$50,000 to address small businesses. Without objection, it was so ordered.

ADDITIONAL BOARD MATTER

4. PROPOSED ELDERLY CENTER IN HERNDON (TAPE 6)

Supervisor Richards stated that in regard to the proposed elderly center in Herndon, the Fairfax County Redevelopment and Housing Authority will be considering legal documents at its next meeting on April 26, 1990. She asked unanimous consent that the Board direct the County Attorney's office to prepare and transmit copies of these documents to the Town of Herndon in sufficient time for them to be reviewed prior to the meeting date. She stated that these documents include a cooperation agreement, a lease agreement and a purchase agreement. Without objection, it was so ordered.

5. BOARD RECESS (Tape 6)

At 12:30 a.m., the Board recessed until Saturday, April 21, 1990, at 1:00 p.m. for the following:

- Continuation of public hearings on:
 - A) The proposed adoption of the County Executive's FY 1991 Advertised Budget Plan and the County Schools' FY 1990 Third Quarter Review;
 - B) Proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 6 (Utility Tax), Sections 4-6-1 and 4-6-2 to raise the limit and the rate for the commercial utility tax; and
 - C) Proposed amendment to Chapter 67 (Sanitary Sewers and Sewage Disposal), Sections 67-4-2 to enact these rates.