

**VLT:vlt**

The meeting, recessed from August 3, 1992, was called to order at 10:00 a.m. with all Members being present, with the exception of Supervisor McConnell, and with Chairman Davis presiding.

Supervisor McConnell was absent from the entire meeting.

Others present were Richard A. King, Acting County Executive; Robert L. Howell, Acting County Attorney; William Howland, Assistant to the County Executive; Viki L. Tippet, Deputy Clerk to the Board of Supervisors; and Annie M. Richardson, Office of the Clerk to the Board of Supervisors.

(NOTE: Theodore Austell, III, Executive Assistant to the County Executive, was absent from the entire meeting.)

**2.ACTIONS FROM EXECUTIVE SESSION (Tape 1)**

**A.CERTIFICATION BY BOARD MEMBERS**

**REGARDING ITEMS DISCUSSED IN**

**EXECUTIVE SESSION**

Supervisor Bulova moved that the Board of Supervisors certify that, at the Executive Sessions held on August 2, 1992 at the Dulles Hyatt and August 12, 1992 at the Fairfax County Government Center, to the best of their knowledge, only public business matters lawfully exempted from the open meeting requirements and only such public business matters as were identified in the motion by which the Executive Sessions were convened were heard, discussed or considered. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor McConnell being absent.

(NOTE: Later in the meeting, there were additional actions from Executive Session. See Clerk's Summary Item CL#4B and CL#4C.)

**3.RECESS/EXECUTIVE SESSION (Tapes 1-2)**

At 10:05 a.m., Supervisor Dix moved that the Board recess and go into Executive Session for consideration of personnel matters pursuant to Virginia Code Section 2.1-344(A)1 and for consultation with legal counsel and briefings by staff members, consultants, and attorneys pertaining to actual and probable litigation and to other

specific legal matters requiring the provision of legal advice by counsel, pursuant to Virginia Code Section 2.1-344(A)1, as well as:

- Claim of Gust K. Newberg Construction Company in connection with construction services furnished in connection with the construction of the Lower Potomac Pollution Control Plant Expansion and Upgrade Project.

This motion was seconded by Supervisor Bulova.

Chairman Davis relinquished the Chair to Acting-Chairman Alexander and asked that the motion be amended to include for discussion the recently-adopted amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding Commercial Retail and Industrial (C&I) Districts.

Following clarification by Robert L. Howell, Acting County Attorney, Supervisor Davis restated, for the record, that the motion be amended to:

- Clarify the motion by Supervisor Dix to read, "...Virginia Code Section **2.1-344(A)7...**"; and
- Revise his request regarding the C&I Districts to read, "...for discussion of lawsuits associated with Zoning Ordinance Amendments, December 11, 1989."

This amendment was accepted.

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

**AR:ar**

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

**4.ACTIONS FROM EXECUTIVE SESSION (Tape 2)**

(NOTE: Earlier in the meeting, there was an additional action from Executive Session. See Clerk's Summary Item CL#2A.)

**B.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 Berger and carried by a vote of nine, Supervisor McConnell being absent.

**C.AUTHORIZATION FOR SETTLEMENT OF CLAIM****OF GUST K. NEWBERG CONSTRUCTION COMPANY**

Supervisor Hyland moved that the Board of Supervisors settle the claim of Gust K. Newberg Construction Company for services provided in connection with the construction of the Lower Potomac Pollution Control Plant Expansion and Upgrade Project by authorizing the Director of the Department of Public Works to execute, on behalf of the Board of Supervisors, the settlement agreement and mutual release. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor McConnell being absent.

**5.APPOINTMENTS TO THE COMMUNITY IMPROVEMENT****COMMITTEE, FALL BOND REFERENDUM COMMITTEE,****FAIRFAX/FALLS CHURCH COMMUNITY SERVICES BOARD,****AND COUNTY GOVERNMENT COMMITTEE (Tape 2)**

(APPT)

Supervisor Hyland moved the following appointments:

- Paul S. Xhajanka as the Mount Vernon Manor Representative to the Community Improvement Committee;
- Purvis Dawson as the Mount Vernon Representative to the Fall Bond Referendum Committee;
- Irving Levine as the Mount Vernon Representative to the Fairfax/Falls Church Community Services Board; and

- Warren Cikens as the Mount Vernon Representative to the County Government Committee.

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

## **6.DESIGNATION OF INTERNATIONAL HISTORY WEEK**

### **(Tape 2)**

Supervisor Bulova asked unanimous consent that the Board direct staff to prepare a Proclamation designating the week of October 11 through October 17, 1992 as "INTERNATIONAL HISTORY WEEK." Without objection, it was so ordered.

## **7.WANG COMPUTER SYSTEM (Tape 2)**

Chairman Davis stated that it has come to his attention that Wang Laboratories, Incorporated filed for Chapter 11 bankruptcy last week. With a notation regarding the County's large investment in Wang hardware and software, he expressed his concern about the effect Wang's bankruptcy may have on the County's investment.

Chairman Davis said that a responsible reaction to this situation would be to reassess the County's computer needs and future plans for information technology as it applies to the Wang systems now being used. He added that the County needs to be assured that its future needs as Wang users will be met or prepare a plan to begin replacing equipment with a better and more secure technology.

Chairman Davis stated that he was concerned about Wang's future when he read in the August 24 issue of Computerworld magazine statements such as, "The majority of (Wang) users said they are no longer comfortable doing business with Wang," and "The majority of users interviewed last week said they are jumping ship now and expect to be completely off VS within two years."

In relation to this matter, Chairman Davis relinquished the Chair to Acting-Chairman Hanley and moved that the Board direct staff to:

- Provide its recommendations with regard to this matter;
- Provide the County's related annual expenditures since it first acquired this equipment;
- Provide the projected future annual expenditures; and

•Provide a listing of which agencies use Wang equipment and the total number of Wang users by agency.

Supervisor Davis noted that money is in short supply and he wants to avoid a situation in the near future where the Board of Supervisors is forced into an eleventh hour decision because contingency plans, in the event of Wang's demise, were not considered early enough.

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

Acting-Chairman Hanley returned the gavel to Chairman Davis.

### **8.BOARD RECESS (Tape 2)**

At 12:45 p.m., Supervisor Alexander moved that the Board recess until 2:00 p.m. on Tuesday, September 1, 1992, due to possible meetings in Executive Session regarding the vacancy of the County Executive position. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.