

## **Minutes of the Fairfax County Consumer Protection Commission**

March 15, 2022

7:30 PM  
Video Meeting  
Chairperson Fee, presiding

Attendance:

Commissioners: Belkowitz, Callender, Fee,  
Gulakowski, Hargraves, Kirk, Roark, Rosier,  
Springer, Svab

Absent:

Commissioners: Kratovil

Staff:

Rebecca L. Makely, Acting Director  
Cable and Consumer Services  
John W. Burton, Assistant County Attorney  
Office of the County Attorney  
Susan C. Jones, Branch Chief  
Consumer Affairs Branch  
Prescott Barbash, Consumer Specialist I  
Consumer Affairs Branch

The meeting was called to order at 7:31 PM by Chairperson Fee.

### **Quorum, Location, and Audibility of Member's Voices**

Chairperson Fee conducted a Roll Call to verify that a quorum of members were participating; and that each member's voice was clear, audible, and at appropriate volume for all of the other members; and the location from which member was participating. The roll call was as follows:

Conduct Roll Call:

Chairperson Fee, Burke  
Commissioner Belkowitz, Fairfax Station  
Commissioner Callender, Great Falls  
Commissioner Gulakowski, Burke  
Commissioner Hargraves, Kingstown  
Commissioner Kirk, Falls Church  
Commissioner Kratovil, Absent  
Commissioner Roark, Lorton  
Commissioner Rosier, Great Falls  
Commissioner Springer, Oakton  
Commissioner Svab, Fairfax

Chairperson Fee passed the virtual gavel to Vice Chairperson Gulakowski. A motion was made by Chairperson Fee that each member's voice was adequately heard by each member of the Consumer Protection Commission (Commission.) This motion was seconded by Commissioner Springer. This motion passed 10-0-0.

### **Need for an Electronic Meeting**

A motion was made by Chairperson Fee that the State of Emergency caused by the COVID-19 pandemic made it unsafe for the Commission to physically assemble and unsafe for the public to physically attend any such meeting, and that as such, FOIA's usual procedures, which require the physical assembly of the Commission and the physical presence of the public, could not be implemented safely or practically. Chairperson Fee further moved that the Commission conduct the meeting electronically through a dedicated audio-conferencing line, and that the public access the meeting by calling 571-429-5982 and entering access code 449 555 09#. The motion was seconded by Commissioner Svab. The motion passed 9-1-0, with Commissioner Belkowitz voting nay.

### **Need to Dispense with FOIA's Usual Procedures to Assure Continuity in Government/Continue Operations**

A motion was made by Chairperson Fee that all of the matters addressed on the agenda addressed the Emergency itself, were necessary for continuity in Fairfax County government, and/or were statutorily required or necessary to continue operations and the discharge of the Commission's lawful purposes, duties, and responsibilities. This motion was seconded by Commissioner Kirk. The motion passed 9-0-1, with Commissioner Belkowitz abstaining.

### **Minutes**

The minutes for the February 15, 2022, meeting were approved without objection with a request from Commissioner Belkowitz to amend the statement, "...for possible *fraudulent* change of address."

### **Report of the Chairperson**

Chairperson Fee had no matters to bring before the Commission.

### **Report of the Director**

Acting Director Makely had several items of discussion:

1. February 22, 2022, the County Executive presented the FY 2023 Advertised Budget to the Board of Supervisors (BOS.) Items of interest were full employee compensation, full funding of the Fairfax County Public Schools transfer, and advertised real estate tax rate of \$1.14. Public Hearings will be held at the Fairfax County Government Center on April 12, 13, 14, 2022. On May 10, 2022, BOS will adopt the FY 2023 Budget.
2. Staff received \$2.00 emergency fuel surcharge request pursuant to Chapter 84.1, Section 84.1-6-2(g) of the County Code. Staff will review the request and submit to the BOS for consideration.
3. Chapter 28.1 Massage Therapy, Establishment and Services deferred to a future CPC meeting per the Chairperson.

## **Commission Matters**

Commissioner Belkowitz had no matters to bring before the Commission.

Commissioner Callender had no matters to bring before the Commission.

Commissioner Gulakowski thanked staff for National Consumer Protection Week (NCPW) efforts and mentioned reviewing the Who's Watching Whom? Your Smart TV and Your Privacy presentation provided by Communication Policy and Regulation Division during NCPW.

Commissioner Hargraves mentioned a rise in neighborhood car thefts and crimes of opportunity.

Commissioner Kirk mentioned increase of car break-ins in his neighborhood.

Commissioner Roark had no matters to bring before the Commission.

Commissioner Rosier mentioned sharing and posting the schedule for NCPW to various groups.

Commissioner Springer thanked staff for NCPW efforts.

Commissioner Svab inquired about NCPW attendance data.

Acting Director Makely provided an overview of the events for the week.

Chairperson Fee spoke about the increase of gas prices and the reduction in service by his trash provider.

## **Old Business**

There was no old business before the Commission.

## **New Business**

**1. 2022 Elections:** Nominating Committee Chairperson Gulakowski provided the slate of candidates.

Chairperson – John Fee

Vice Chairperson – Denis Gulakowski

Secretary – Jaqueline Rosier

Chairperson Fee asked for any additional nominations, and none were made.

Chairperson Fee made the motion by acclamation to accept Commissioner Rosier as Secretary. Commissioner Callender seconded the motion. The motion passed unanimously.

Chairperson Fee made the motion by acclamation to accept Commissioner Gulakowski as Vice Chairperson. Commissioner Kirk seconded the motion. The motion passed unanimously.

Vice Chairperson Gulakowski made the motion by acclamation to accept Commissioner Fee as Chairperson. Commissioner Kirk seconded the motion. The motion passed unanimously.

Commissioner Svab inquired about a separate meeting to get to know the Commission. A discussion ensued on public meetings, email communication, and year-end report.

Commissioner Belkowitz is concerned about no in-person meeting was not due to COVID, but the lifting of the mask restrictions in the government center.

Acting Director Makely discussed reasons for the continued electronic meetings.

- Virginia and Fairfax County are still under a declared State of Emergency.
- Lack of physical meeting space.
- Vast majority of Boards, Authorities, and Commissions are still meeting electronically.

Acting Director Makely will send the Commission an email to save the date in April. If a return to in-person meeting occurs, Commission will be notified.

Commissioner Hargraves made the motion to adjourn. Commissioner Kirk seconded the motion.

The meeting adjourned at 8:23 PM.