

Minutes of the Fairfax County Consumer Protection Commission

August 17, 2021

7:30 PM
Zoom Video Meeting
Chairperson Fee presiding

Attendance:

Commissioners: Belkowitz, Fee, Gulakowski,
Hargraves, Kirk, Rosier

Absent:

Commissioners: Callender, Kratovil, Roark

Staff:

Michael S. Liberman, Director
Cable and Consumer Services
(Suite 433)
Rebecca L. Makely, Director
Consumer Services Division
(West Virginia)
John W. Burton, Assistant County Attorney
Office of the County Attorney
(Suite 549)
Susan C. Jones, Branch Chief
Consumer Affairs Branch
(Springfield)

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

Quorum, Location, and Audibility of Members' 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 each member was participating. The roll call was as follows:

Chairperson Fee, Burke
Commissioner Belkowitz, Fairfax Station
Commissioner Gulakowski, Burke
Commissioner Hargraves, Monterey Bay
Commissioner Kirk, Falls Church
Commissioner Rosier, Great Falls

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 Kirk. This motion passed 6-0.

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 can access the meeting by calling 1-888-270-9936 and entering access code 584548. The motion was seconded by Commissioner Kirk. This motion passed 6-0.

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. This motion passed 6-0.

Remote Participation Policy

Rebecca Makely, Director, Consumer Services Division, provided an overview of the Remote Participation Policy.

A discussion ensued on the physical quorum requirements and Board, Authorities, and Commission information.

Commissioner Kirk made the motion to approve the Remote Participation Policy. Commissioner Gulakowski seconded the motion. The motion passed unanimously.

Minutes

The minutes for the June 15, 2021, meeting were approved.

Report of the Chairperson

Chairperson Fee had no matters to bring before the Commission.

Report of the Director

Director Liberman discussed the CPC meeting scheduled for September. The Commission decided to cancel the September 21, 2021, meeting.

Commission Matters

Commissioner Belkowitz had no matters to bring before the Commission.

Commissioner Rosier had no matters to bring before the Commission.

Commissioner Kirk stated he received scam billing emails from Norton.

Commissioner Hargraves mentioned his son posted a computer part on eBay. The buyer claimed he was unable to use PayPal and sent a check instead. The check was more than the price advertised and just told the seller to deposit the check and send the rest of the money back to the buyer. This is scam. By the time the check cleared, the bank would determine it was fake and the seller would be out of the money.

Commissioner Gulakowski had no matters to bring before the Commission.

Chairperson Fee had no matters to bring before the Commission.

Old Business

Appeal Process Discussion was deferred to the October 19 meeting.

New Business

1. Staff Report on Trespass Towing Fees. Rebecca Makely, Director, Consumer Services Division, provided an overview of the Trespass Towing Advisory Board Proposal which included the review of Code of Virginia, jurisdictional survey of Trespass Towing Fees, Trespass Towing Fee analysis, summary of analysis, staff report, timeline, and resources.

A discussion ensued on factors used to determine rates, advertisement of public hearing, complaints received and investigated, and forms of payment.

Chairperson Fee made a motion to adjourn. Commissioner Gulakowski seconded the motion.

The meeting adjourned at 8:39 PM.