

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

March 16, 2021

7:30 PM  
Zoom Video Meeting  
Chairman Fee presiding

Attendance:

Commissioners: Belkowitz, Callender, Fee,  
Hargraves, Hine, Kirk, Kratovil, Roark, Rosier

Absent:

Commissioners: Gulakowski, Lynch, Javed

Staff:

Michael S. Liberman, Director  
Cable and Consumer Services  
(Fairfax)  
Rebecca L. Makely, Director  
Consumer Services Division  
(Aldie)  
Susan C. Jones, Branch Chief  
Consumer Affairs Branch  
(Springfield)

The electronic meeting was called to order at 7:30 PM by Chairman Fee.

### **Quorum, Location, and Audibility of Members' Voices**

Chairman 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:

Chairman Fee, Burke  
Commissioner Belkowitz, South Carolina  
Commissioner Callender, Great Falls  
Commissioner Hargraves, South Fairfax  
Commissioner Hine, Fairfax  
Commissioner Kirk, Falls Church  
Commissioner Kratovil, Mount Vernon  
Commissioner Roark, Lorton  
Commissioner Rosier, Great Falls

Chairman Fee passed the virtual gavel to Secretary Rosier. A motion was made by Chairman Fee that each member's voice was adequately heard by each member of the Consumer Protection Commission (Commission.) This motion was seconded by Commissioner Hine. This motion passed 9-0.

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

A motion was made by Chairman 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. Chairman 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 1-888-270-9936 and entering access code 584548. The motion was seconded by Commissioner Callender. The motion passed 9-0.

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

A motion was made by Chairman 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 was passed 9-0.

### **Minutes**

A motion was made by Chairman Fee and the minutes from the February 16, 2021, were approved with a change to Commission Matters.

### **Report of the Chairman**

The Chairman notified the Commission that Commissioner Lynch has resigned.

Chairman Fee requested the Commission promptly respond to meeting notices to establish a quorum. A Massage Therapist Denial Appeal is scheduled in April.

### **Report of the Director**

Director Liberman requested the Commission respond promptly to meeting invites to establish a quorum.

### **Commission Matters**

Commissioner Belkowitz had no matters to bring before the Commission.

Commissioner Callender had no matters to bring before the Commission.

Commissioner Hargraves had no matters to bring before the Commission.

Commissioner Hine had no matters to bring before the Commission.

Commissioner Kirk had no matters to bring before the Commission.

Commissioner Kratovil stated Virginia was the second state to approve comprehensive consumer privacy legislation. The provision will allow consumers to correct, delete, and port their data.

Commissioner Roark had no matters to bring before the Commission.

Commissioner Rosier would like to see the Commission attendance report. Commissioner Rosier contacted staff about receiving correspondence on a church that was offering COVID-19 testing and wanted to make sure it was legitimate. Staff responded Fairfax Health Department has confirmed the information is legitimate and First Baptist Church of Vienna is one of their partners in reaching underserved communities.

Chairman Fee mentioned two step authentication popping up on the internet.

### **Old Business**

Rebecca Makely, Director, Consumer Services Division, requested a motion by the Commission to approve the updated Bylaws. Commissioner Kirk made the motion to approve the Bylaws as modified. Commissioner Callender seconded the motion. The motion passed unanimously.

### **New Business**

**Legislative Review.** Rebecca Makely, Director, Consumer Services Division provided an overview of the legislative bills reviewed by Consumer Affairs which included Homeowners Associations/Condominiums, Manufactured Homes, and Tenant-Landlord issues.

A discussion ensued on the eviction moratorium, how many manufactured home lots are in Fairfax County, and consumer-related legislation.

Chairman Fee stated the Trespass Towing Advisory Board is discussing rate increases that may be brought before the Commission for approval.

Director Makely reminded the Commission about the upcoming Massage Therapist Denial Appeal Hearing. A packet of information will be sent to the Commissioners for review prior to the meeting in April.

Chairman Fee made a motion to adjourn. Commissioner Hine seconded the motion. The motion passed unanimously.

The meeting adjourned at 8:03 PM.