

Minutes of the Fairfax County Consumer Protection Commission

September 19, 2023

7:30 PM

Government Center
12000 Government Center Parkway
Fairfax, VA 22035
Chairperson Kratovil, presiding

Attendance:

Commissioners: Belkowitz, Gasimov,
Gulakowski, Kirk, Kratovil, Roark, Rosier, Svab

Remote Attendance:

Commissioner: Hargraves

Absent:

Commissioner: Freedenthal, Kharat, Springer

Staff:

Rebecca L. Makely, Director
Cable and Consumer Services
Susan C. Jones, Consumer Specialist III
Consumer Affairs Branch

The meeting was called to order at 7:32 PM by Chairperson Kratovil.

Chairperson Kratovil notified the Commission that Commissioner Hargraves requested to participate in the meeting remotely.

Vice Chairperson Gulakowski made the motion to approve that Chairperson Kratovil's decision to approve Commissioner Hargraves' request to participate from a remote location was in conformance with the Consumer Protection Commission's Remote Participation Policy. Commissioner Kirk seconded the motion. The motion was approved, 8-0-0.

Chairperson Kratovil made the motion that Commissioner Hargraves' voice can be heard by all persons at the primary meeting location. Commissioner Gulakowski seconded the motion. The motion was approved, 8-0-0. Commissioner Hargraves participated remotely due to attending an out-of-town event for his son.

Chairperson Kratovil introduced the newest CPC member Commissioner Josef Gasimov.

Minutes

Commissioner Belkowitz stated under old business the Dillon Rule was misspelled. Commissioner Hargraves moved to accept the minutes as amended. Commissioners Roark and Gulakowski seconded the motion. The minutes for the August 1, 2023, meeting were adopted unanimously, 9-0-0.

Commissioner Matters

Commissioner Svab had no matters to bring before the Commission.

Commissioner Gulakowski had no matters to bring before the Commission.

Commissioner Roark had no matters to bring before the Commission.

Commissioner Belkowitz thanked the Chairperson for the presentation from Identity Theft Resource Center. He stated that he dropped FIOS to the internet only and the process was easy. He will be saving money by streaming with other options.

Commissioner Kirk had no matters to bring before the Commission.

Commissioner Rosier spoke about a recent meeting and the discussion was on scams and a reminder not to provide personal information.

Commissioner Gasimov spoke on an email scam with Costco that he receives on a frequent basis.

Commissioner Hargraves had no matters to bring before the Commission.

Chairperson Kratovil inquired about an update on the proclamation for John Fee. Director Rebecca Makely stated at the September 12, 2023, meeting, Chairman McKay did move a resolution for CPC Chairperson John Fee. Without objection, Chairman McKay asked the Fairfax County Office of Public Affairs to prepare a resolution to be presented inside the board room before the end of the year. Staff will notify the Commission once a date has been selected.

Chairperson Kratovil mentioned his work group with the Federal Reserve on scams. The group was attempting to define what is a scam. The definition reached is a scam is the use of deception or manipulation intended to achieve financial gain. The group is now trying to develop a classification system.

Report of the Chairperson

Chairperson Kratovil had no matters to bring before the Commission.

Report of the Director

Susan Jones, Branch Manager, Consumer Affairs conducted a review of two consumer complaints addressed by staff.

Old Business

There was no old business before the Commission.

New Business

1. FY 2023 Annual Report. Directly Makely sent out the updated draft of the FY 2023 CPC Annual Report for Commission to review last week. Director Makely walked through the updates requested by the Commission.

Commissioner Kirk stated he objected to the FY 2023 Annual Report for failure to provide a group photo of the Commission.

A discussion ensued on taking the photograph at the next meeting, delaying the report, or using headshots in the report.

Chairperson Kratovil moved to approve the FY 2023 Annual Report with the condition that all Commissioners submit to staff head shots by COB on Tuesday, September 26, 2023. Commissioners Gulakowski and Hargraves seconded the motion. The motion passed unanimously, 9-0-0.

2. CPC Subcommittee proposal review. Chairperson Kratovil stated he emailed Commissioners a clean copy and a red line copy of the proposals. Staff handed out copies of each. Chairperson Kratovil stated there was considerable discussion at the last meeting on the reduction of the number of subcommittees, the roles of Chairperson and Vice-Chairperson, frequency of meetings changed to quarterly or as needed, the requirement for Commissioners to serve on a committee, making the process less cumbersome by tightening up the language, and the reasoning behind the subcommittees. Chairperson Kratovil reiterated the Commission's role of the subcommittees was not to oversee staff's work but find new ways or opportunities to use the Commission's expertise, talents, passions, and expand the work staff and the County are doing by being better spokespersons.

Commissioner Belkowitz stated he had submitted comments that were not reflected in the updated version. Chairperson Kratovil apologized for the oversight and asked Commissioner Belkowitz to walk through his comments.

- Add a section that defines terms like Commissioner, Chairperson, Vice-Chairperson, etc.
- Clarify the timing of appointments; and
- Clarify who will take the minutes of the meeting and how the minutes will be submitted.

A discussion ensued on how committees would be formed, how many members on each committee, and appointment by the Chairperson vs. volunteering based on interest.

Chairperson Kratovil stated there is nothing in the County code to dictate this process. Director Makely stated at the request of the Chairperson she consulted with County Attorney's office. In the CPC's Bylaws Article VIII - Committees it does address standing and special committees and states that the Chairperson may appoint standing and special committees and a Chairperson for each with the consent of the majority of the Commission members present and voting. In this language, appoint is interpreted as individuals and permits the Chairperson to appointment members to the committees.

Chairperson Kratovil stated a consensus was reached not to mandate that each Commissioner must serve on a committee. Chairperson Kratovil further stated a simple google survey could be used for each Commissioner to determine their interests, willingness to serve, and what position on a committee.

Commissioner Belkowitz raised the question from the previous comments that there seems to be a lack of interest in serving on subcommittees, so why go through the exercise to develop subcommittees.

Chairperson Kratovil posed the question to the Commission inquiring if there is no interest in subcommittees.

A discussion ensued on interest in subcommittees, keeping the Commission focused on certain areas, the number of Commissioners to serve on each Committee, a list of topics and ranked order of importance to map the direction of the Commission, and implement a pilot program for six months to see if it works.

Further discussion ensued on having virtual meetings and staff support. Director Makely reminded the Commission of the County Attorney's recommendation regarding virtual meetings held by a subcommittee and their recommendation not to have virtual meetings but would not stop the action as a public body of having virtual meetings. Director Makely stated based of the number of participants the meetings would have to be posted on the public meetings calendar, the mechanics of public participation through Teams, and staff support at the meetings.

Chairperson Kratovil plans to draft a new version of the plan and to incorporate feedback and comments made by the Commission and suggestions from Commission Belkowitz. The new plan will be emailed to the Commission by COB on Friday, September 22, 2023. Chairperson Kratovil asked the Commission to review the new version and provide any other suggestions.

Chairperson Kratovil made the motion to adjourn without objection. The meeting adjourned at 8:46 PM.