

**Board of Towing and Recovery Operators
Meeting of the full Board
August 18, 2010, 10:00 am
Department of State Police
Virginia State Police Academy Room 317
7700 Midlothian Tnpk. Richmond, Virginia**

Members Present:

Captain Steve Chumley – Chairman’s Designee
Mark Sawyers
Roy Boswell
P. Dale Bennett
John J. Beall, Jr.
Randy Seibert
Matt Martin – Designee for the Commissioner of the
Department of Motor Vehicles
Scott Wyatt

Gary Teter
Woody Herring
Kenneth Mitchell
Lt. Raymond W. Gill, IV
Adan Rangel, Jr.
Richard Metz
Andres Alvarez – Designee
for the Virginia Department of
Agriculture and Consumer
Services

Members Absent:

Charlie Brown
Tony Troilo

Meeting Called to Order:

The meeting was called to order at 10:03 am.

Public Comments:

Craig Beiber conveyed greetings from Jon Redman of Redman Fleet Services, who was not able to attend. He passed along the message that he is in support of AAA’s proposal to enact additional regulations to begin the issuance of temporary driver authorization documents. He also commented that there is little enforcement of the towing laws and regulations in Northern Virginia. He expressed his concerns about the late penalty fees associated with late applicant renewals and suggested that Mr. Teter’s committee re-evaluate those fees as they are a bit harsh.

George Mahone, of Skimino Enterprises, expressed his concerns that the lack of enforcement of the towing laws and regulations has gotten worse. He has witnessed people towing vehicles with pickup trucks and tow dollies and has even heard rumors that BTRO has licensed these folks. He is concerned about the safety of the public and he feels that the overall towing industry has gotten worse since the 4-5 years that he has been involved with the Board. Another concern is that the old decals are still being

displayed on tow trucks. He feels that all the Board has done for him is given him a sticker and a piece of paper.

Acceptance of Meeting Minutes:

Chairman Chumley requested a motion to accept the minutes from the May 25, 2010, Board meeting. Mr. Mitchell moved to accept the meeting minutes as presented and the motion was seconded. The motion passed unanimously.

Chairman's Report:

Chairman Chumley entertained a motion to place Mr. Beall on the Licensing and Regulatory Affairs Committee and on the Application Work Group and Mr. Metz on the Bylaws and Administrative Affairs Committees. Mr. Bennett so moved and Mr. Mitchell seconded the motion. The motion passed unanimously.

Executive Director's Report:

Mr. Copeland reported on the status of the credential renewal process and noted the renewal statistics. He plans to contact operators whose licenses appear to have expired prior to the next Board meeting. Also, BTRO is processing completed applications within 24 – 48 hours after receipt and criminal history results are being received within about two weeks.

He discussed the instances of abusive telephone calls being received at the BTRO office. Chairman Chumley and Mr. Beall suggested identifying these individuals and addressing each on a case by case basis.

Recess:

The Board recessed at 10:55 am and reconvened at 11:11 am.

Recommendations of the Compliance and Consumer Affairs Committee:

The Compliance and Consumer Affairs Committee discussed and made recommendations to the Board on a compliance action to a towing and recovery operator and a tow truck driver.

Mr. Sawyers moved to recommended imposing a civil penalty and revoking the driver authorization document of the applicant in question. Mr. Beall seconded that motion. After an extensive discussion of the Compliance and Consumer Affairs Committee's recommendations for the subject driver and operator, Chairman Chumley requested a return to the motion to accept the recommendations of the Compliance and Consumer Affairs Committee to impose a civil penalty of \$500 and revoke the driver authorization document of the driver, and the imposition of a \$500 civil penalty as to the operator. Mr. Sawyers seconded that motion and all were in favor except Mr. Wyatt and Mr. Alvarez.

Chairman Chumley requested a motion that a committee meet to discuss the suggested statutory and regulatory amendments. Mr. Mitchell made a motion that the suggested statutory and regulatory amendments be reviewed by the Licensing and Regulatory Affairs Committee and Mr. Sawyers seconded the motion. The motion passed unanimously.

Executive Session:

A motion and a second were made at 12:00 pm to recess for lunch and reconvene in closed session afterwards.

1. To discuss a personnel matter, pursuant to the exception granted in the Virginia Code § 2.2-3711(A) (1).
2. To discuss a proprietary matter, pursuant to the exemption granted in the Virginia Code § 2.2-3711(A) (7).

The Board went into Executive Session at 1:00 pm, and reconvened at 2:35 pm.

Chairman Chumley stated that only matters exempt under Virginia Code Sections 2.2-3711(A) (1) and 2.2-3711(A) (7), relating to a personnel issue and a proprietary matter were discussed or considered during the closed meeting.

Roll call by the Board to accept the above statement was unanimous.

Chairman Chumley requested a motion on the hiring of additional BTRO staff. Mr. Mitchell moved to approve the additional full - time administrative staff specialist position and Mr. Sawyers seconded the motion. The motion passed unanimously.

A motion was on the floor to approve the hiring of up to two additional part – time compliance specialists and the motion passed unanimously.

Additional Public Comments:

There were no additional public comments.

Other Business/Comments:

Mr. Copeland asked the Board to allow him to consider hiring a court reporter to record the meeting minutes. Mr. Seibert recommended changing the style of the minutes from a narrative style to just recording the actions of the Board. Mr. Copeland concurred.

Mr. Bennett moved that the recommendations as discussed during the executive session be accepted and go before the Secretary for final approval and Mr. Mitchell seconded the motion. The motion passed unanimously.

Next Meeting:

Mr. Copeland suggested scheduling the next full Board meeting for mid to late October or early November.

Adjournment:

The meeting adjourned at 3:12 pm.