

**Commonwealth of Virginia  
Board of Towing and Recovery Operators**

**Meeting Location**  
**Department of Game and Inland Fisheries**  
**4000 W. Broad Street**  
**Richmond, VA 23230**

**January 4, 2012 10:00 am**

**MEETING MINUTES**

**Members Present**

Captain Steve Chumley - Chairperson  
Roy Boswell  
Tony Troilo  
Adan Rangel, Jr.  
Randy Seibert  
Woody Herring  
Gary Teter  
Dale Bennett  
Charlie Brown

Mark Sawyers  
John Beall, Jr.  
Richard Metz  
Lynwood Butner – Designee for the Commissioner  
of the Department of Motor Vehicles  
Andres Alvarez - Designee for the Commissioner  
of the Virginia Department of Agriculture and  
Consumer Services  
Scott Wyatt

**Members Absent:**

Lt. Raymond Gill

Kenneth Mitchell

**Staff Present:**

Barbara Drudge  
Daphane Phillips  
Linwood Arrington  
Isaac King

**Board Counsel:**

Janet Westbrook

**Call to Order:**

The meeting was called to order at 10:00 am.

**Public Comments:**

There were no public comments.

**Acceptance of Meeting Minutes:**

Tony Troilo noted a correction to previous minutes that he was present. John Beall, Jr. made a motion to accept the draft minutes from the September 7, 2011 meeting with the necessary corrections, Woody Herring seconded the motion, and it passed unanimously.

**Committee Reports**

Administrative Affairs Committee – Woody Herring, Chairperson

Mr. Herring reported that no meetings were held.

Application Work Group – Scott Wyatt, Chairperson

The following meetings were held with the applicable results:

- September 21, 2011 – 15 reviewed, 14 approved, and one deferred.
- October 5, 2011 – Three reviewed and approved.
- November 16, 2011 – Five reviewed and approved.
- December 14, 2011 – Three reviewed and approved.

The next scheduled meeting is January 18, 2012 at 12:30 pm.

By Laws Committee – Randy Seibert, Chairperson

Randy Seibert reported no meetings were held.

Compliance and Consumer Affairs Committee – Charlie Brown, Chairperson

Charlie Brown reported that no meetings were held.

Licensing and Regulatory Affairs Committee – Gary Teter, Chairperson

Reported that the Clerk of the Senate, on behalf of the patron, asked the Board to discontinue its work on the study of House Bill 1956 from the 2011 Session of the Virginia General Assembly.

**Chairperson's Report:**

Captain Steven Chumley reported there are questions as to the future direction of the Board legislatively, and that if the Board members desire, they should contact their legislator on the future of the Board. He also added that there are many different scenarios circulating.

Captain Chumley noted that the Board does have weaknesses including not enough staff and having only two full-time staff persons, spending large amounts of time licensing and on some FOIA requests, and that the hiring of two part-time employees has been put on hold due to the Governor's Reform Commission's Report. He noted that the two part-time field personnel have been assisting in the office, and asked that people be patient with the limited personnel as they are doing the best they can. He noted that if the Board remains in place, then efforts will be made to move forward with filling those positions.

**Discussions/Other Board Actions:**

Richard Metz noted that the Governor's Press Office informed him that the Board would be moving over to the Department of Motor Vehicles and the Virginia State Police, and Captain Chumley noted that there is still a viable option that the Board will remain intact.

Scott Wyatt added that the staff should be commended. He noted that towing is a very competitive industry and that they have not been pleasant in dealing with the staff, including abusive towers that call or knock on the door. Mr. Wyatt stated that the towers have been reporting negative and exaggerated comments to delegates that are not fair or accurate. He asked that everyone be supportive of the office staff. Captain Chumley concurred with Mr. Wyatt in his commendations of the staff.

Mr. Beall added that Lt. Hardison has added a balanced approach to the Application Work Group, and Captain Chumley thanked Lt. Hardison for his participation.

**Additional Public Comments:**

George Mahone stated that he has always received good service from the staff. He further stated that the Board has had problems since inception, and that it is difficult to hire a non-licensed driver, nothing has been done to enforce the laws against delinquent or non-compliant towers, that the Board needs more compliance people, and that the application process should be streamlined.

Mr. Beall noted that the towers and drivers need to complete the applications in their entirety before submitting them to the Board, noted that efforts have been made to expedite driver application processing through draft statutory language, and that the Legislative Affairs Committee drafted and forwarded to the Executive Committee draft language for the 2012 Legislative Session.

Tony Troilo noted that counsel advised that there was no distinction between an initial and renewal applicants in our statute.

James Pickeral of the Virginia Association of Towing and Recovery Operators inquired as to the legislative status of temporary driver authorization documents, and Dale Bennett reported that there would be efforts to move that forth in the upcoming legislative session.

Craig Bieber of the Major Incident Heavy Recovery Operators Association, Inc. noted that they would be glad to work with the Board to promote legislation.

Captain Chumley added that at the time the proposal was drafted, the Board had missed the prefile legislative date, and the State Police placed the proposed legislation in the Secretary of Public Safety's package. He added that once it was filed, interested parties could make suggestions for changes.

Mr. Mahone suggested that perhaps the Board could utilize the regulations and provide for a multiple year license.

Captain Chumley noted that while there were many negative things, the Board has done a lot of good work for the towing industry. He noted that Charlie Brown and other members that are towers have done a good job for the Board, and thanked all of the members for their hard work. He noted that we should be optimistic about the future.

**Executive Session:**

At 10:40 am, Mr. Beall made a motion to go into executive session for discussion, consideration, appointment, promotion, performance, demotion, salaries, discipline, or registration of specific public officers, appointees, or employees of any public body, etc., pursuant to the exemption granted under Section 2.2-3711.A.1. of the Code of Virginia. Randy Seibert seconded the motion and it passed unanimously.

The meeting reconvened in open session at 11:01 am, and Mr. Beall made a motion stating that only matters exempt under Virginia Code Section 2.2-3711.A.1. relating to the discussion, consideration, appointment, promotion, performance, demotion, salaries, and discipline, etc. were held during the closed session. Roll call by the Board to accept the above statement was unanimous.

**Next Meeting:**

No meeting was scheduled

**Adjournment:**

Chairman Chumley made a motion for adjournment, and Roy Boswell seconded the motion and it passed unanimously. The meeting adjourned at 11:03 am.