




County of Fairfax, Virginia

MEMORANDUM

DATE: July 22, 2021

TO: Trespass Towing Advisory Board

FROM: Michael S. Liberman, Director 
Department of Cable and Consumer Services

SUBJECT: Trespass Towing Advisory Board Meeting for July 28, 2021

Please find attached the Trespass Towing Advisory Board agenda packet. The next scheduled meeting is **Wednesday, July 28, 5:00 p.m.** This meeting will be in-person in Conference Room 11 at the Fairfax County Government Center.

Please RSVP with your attendance to Carl A. Newcomb by COB on Tuesday, July 27, 2021 at Carl.Newcomb@fairfaxcounty.gov or 703-324-5931.

Enclosures

cc: Joseph M. Mondoro, Chief Financial Officer
Office of the County Executive

Rebecca L. Makely, Director
Consumer Services Division, DCCS

Carl A. Newcomb, Manager
Regulation and Licensing Branch, CSD, DCCS



**FAIRFAX COUNTY
TRESPASS TOWING ADVISORY BOARD**

**July 28, 2021
5:00 p.m.
Electronic Meeting**

MEETING AGENDA

Call to Order by the Chairman

Remote Participation Policy

Minutes

- Approval of March 24, 2021 meeting minutes

Report of the Chairman

Report of the Director

Report of the Staff Liaison

Board Matters

Old Business

New Business

- Motion to Consider a Request to Advertise Public Hearing

Public Comment

Adjourn

Package Contents

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- Package Contents
- Draft Minutes of March 24, 2021 meeting
- 2021 Yearly Planning Calendar

Minutes of the Fairfax County Trespass Towing Advisory Board

March 24, 2021

5:00 p.m.

Zoom Video Meeting

Chairman Scheler, presiding

Board Members Present:

Fee, Leach, Morris, Regan, Scheler

Board Members Absent:

Supinger

Staff Members Present:

Michael S. Liberman, Director

Department of Cable and Consumer Services

Rebecca L. Makely, Division Director

Department of Cable and Consumer Services

Carl Newcomb, Consumer Specialist III

Regulation and Licensing Branch

Public In Attendance:

Mike Fernandez, Battlefield Towing & Storage, Inc.

Dwight Gochenour II, Dominion Towing and Storage, Inc.

Matthew Benka, MDB Strategies

Andy (unknown)

Chairman Scheler called the meeting to order at 5:04 p.m.

Quorum, Location, and Audibility of Member's Voices

Chairman Scheler 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:

Member Fee, Burke

Member Leach, Great Falls

Member Sgt. Morris, Fairfax Station

Member Dt. Regan, Present

Chairman Scheler, Fairfax

Chairman Scheler passed the virtual gavel to Vice Chairman Morris. A motion was made by Chairman Scheler that each member's voice was adequately heard by each member of the Trespass Towing Advisory Board (Board). This motion was seconded by Member Fee. The motion passed unanimously, with Member Regan absent from the vote.

Need for an Electronic Meeting

A motion was made by Chairman Scheler that the State of Emergency caused by the COVID-19 pandemic made it unsafe for the Board 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 Board and the physical presence of the public, could not be

implemented safely or practically. Chairman Scheler further moved that the Board conduct the meeting electronically through the dedicated audio-conferencing line, and that the public access the meeting by calling 888-270-9936 and entering access coded 584548. The motion was seconded by Member Fee and the motion passed unanimously, with member Regan absent from the vote.

Continuity of Government

A motion was made by Chairman Scheler that it is next required that all matters addressed on today's agenda must address the Emergency itself, are necessary for continuity in Fairfax County government, and/or are statutorily required or necessary to continue operations and the discharge of the TRESPASS TOWING ADVISORY BOARD'S lawful purposes, duties, and responsibilities. The motion was seconded by Member Leach and the motion passed unanimously, with member Regan absent from the vote.

Minutes

- Chairman Scheler asked for approval of the January 27, 2021 minutes. The vote was unanimous in approving the minutes with Member Regan absent from the vote.

Report of the Chairman

- The Chairman had no matters to bring before the Board.

Report of the Director

- Director Liberman gave a brief update on the Fairfax County FY 2022 budget and the timeline for the budget approval.

Report of the Staff Liaison

- Director Makely had no matters to bring before the Board.
- Branch Manager Newcomb had no matters to bring before the Board.

Board Matters

- Chairman Scheler asked when the proposed tow rates will go before the Board of Supervisors (BOS). Director Liberman replied that he has not received feedback from the BOS as to a possible date, as the BOS is currently focused on the Fairfax County budget.

Old Business

- There was no old business before the Board.

New Business

- **Bylaws.** Director Makely stated the new template for use by all Boards, Authorities and Commissions (BACs) has been vetted and updated and that staff respectfully asks the TTAB members to take action by vote. Director Makely explained that it would be preferable to package all three of the DCCS bylaw templates together (CPC, TLC, TTAB) for approval by the BOS. Chairman Scheler had questions on scheduling TTAB meetings, scheduling emergency meetings, advertisement of meetings and if county staff support is mandatory or if staff support must be requested. Discussion ensued. A motion

was made by Member Morris to accept the TTAB Bylaws. Member Leach seconded the motion and the motion passed 3-1, with Chairman Scheler voting in opposition and member Regan absent from the vote.

Public Comment

- Mike Fernandez, Battlefield Towing & Storage, Inc.
- Dwight Gochenour II, Dominion Towing & Storage, Inc.
- Member Fee stated there was a narrow window for legislative changes, and that he would like to see more citizen members added to the TTAB. Discussion ensued.
- Member Fee questioned if Fairfax County had prioritized vaccinations for essential government workers, and if that then would include TTAB members. Discussion ensued.

The meeting was adjourned at 5:36 p.m.

Fairfax County
Trespass Towing Advisory Board
2021 Yearly Planning Calendar
As of July 28, 2021

Rooms have been reserved on the dates shown below should meetings need to be held.

January 27	Towing Rates
March 24	Bylaws approval
May 26	Cancelled, lack of quorum
July 28	Motion to Consider a Request to Advertise Public Hearing
August 25	Staff Report on Trespass Towing Fee Increase Public Hearing on Trespass Towing Fee Increase
September 22	
November 24	

Possible Future Agenda Topics