



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** January 21, 2021

**TO:** Trespass Towing Advisory Board

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

**SUBJECT:** Trespass Towing Advisory Board Meeting for January 27, 2021

Please find attached the Trespass Towing Advisory Board agenda packet. The next scheduled meeting is **Wednesday, January 27, 5:00 p.m.** This meeting will be held via a video connection due to the COVID-19 pandemic.

To join the meeting:

Click: <https://us02web.zoom.us/j/83763165757?pwd=NHdySE13bG5CVG1vNEp2WVVrNE1uUT09>

Enter Password: 908772

Audio-only participation:

Dial: 888-270-9936

Enter Code: 584548

Please RSVP with your attendance to Carl A. Newcomb by COB on Tuesday, January 26, at [Carl.Newcomb@fairfaxcounty.gov](mailto: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**

**January 27, 2021  
5:00 p.m.  
Electronic Meeting**

**MEETING AGENDA**

Call to Order by the Chairman

Minutes

- Approval of December 16, 2020 meeting minutes

Report of the Chairman

Report of the Director

Report of the Staff Liaison

Board Matters

Old Business

New Business

- Towing Rates

Public Comment

Adjourn

**Package Contents**

- Meeting Agenda
- Draft Minutes of December 16, 2020 Meeting
- 2021 Yearly Planning Calendar

## Minutes of the Fairfax County Trespass Towing Advisory Board

December 16, 2020

5:00 p.m.  
Zoom Video Meeting  
Chairman Regan, presiding

Board Members Present: Regan, Morris, Scheler, Leach, Fee,  
Supinger

Board Members Absent: None

Staff Members Present: Michael S. Liberman, Director  
Department of Cable and Consumer Services  
(Office Suite 433)  
Rebecca L. Makely, Division Director  
Department of Cable and Consumer Services  
(Office Suite 433)  
Carl A. Newcomb, Consumer Specialist III  
Regulation and Licensing Branch  
(Fairfax, VA)

Public In Attendance: Tamara Fernandez, Battlefield Towing & Storage, Inc.  
Ashley Miller, Dominion Towing & Storage, Inc.  
Heather Ferguson, Dominion Towing & Storage, Inc.  
Matt Benka, Northern Virginia Towing Coalition

Chairman Regan called the meeting to order at 5:00 p.m.

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

Chairman Regan 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:

Member Fee, Burke  
Member Leach  
Member Sgt. Morris, Annandale  
Member Supinger, Fairfax  
Chairman Dt. Regan, Fairfax  
Member Scheler, Fairfax

Chairman Regan passed the virtual gavel to the Vice Chairman Scheler. A motion was made by Vice 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. This motion passed unanimously.

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

A motion was made by Chairman Regan 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 Regan 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 code 584548. The motion was seconded by Member Fee and the motion passed unanimously.

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

A motion was made by Chairman Regan that all of the matters addressed on the agenda must address 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 Board's lawful purposes, duties, and responsibilities. This motion was seconded by Member Fee and the motion passed unanimously.

### **Minutes**

- A motion was made by Vice Chairman Scheler, seconded by Member Morris, and the minutes from the December 11, 2019, were approved unanimously.

### **Report of the Chairman**

- The Chairman had no matter to bring before the Board

### **Report of the Directors**

- Director Liberman reported on the status of the department since the pandemic. Consumer Affairs and Communications Policy and Regulation were 100 percent teleworking. Regulation and Licensing and Communications Productions (Channel 16) were on a rotating schedule. Directors Liberman and Makely were in the office daily and focusing on Board of Supervisors, Planning Commission, and Board of Zoning Appeals meetings, which are now 100 percent virtual.
- Director Makely spoke specifically about the Regulation and Licensing and Consumer Affairs schedule, noting that staff continue to provide all services such as applications, permits, renewals, and complaints.

### **Report of the Staff Liaison**

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

### **Board Matters**

- Vice Chairman Scheler stated the Arlington County Trespass Towing Advisory Board voted to increase to the state rates and forward recommendation to Arlington County Board for approval.
- Member Fee asked about the effects the pandemic on the towing industry and for an update on any carryover legislation. A discussion ensued.

### **Old Business**

- There was no old business before the Board.

## **New Business**

- **Elections.** Director Makely gave an overview of the election process and member position tenures.

### Chairman Nomination

Chairman Regan nominated Vice Chairman Scheler

Member Morris seconded the nomination.

Vote: Ayes 5 Nays 0

### Vice Chairman Nomination

Member Fee nominated Member Morris

Chairman Regan seconded nominations

Vote: Ayes 5 Nays 0

### Secretary Nomination

Member Fee nominated Member Leach

Seconded by Chairman Regan

Vote: Ayes 5 Nays 0

A discussion ensued on the succession plan and transition of the Chairman.

- **By-Laws.** Director Liberman updated the Board on the process and changes made to the by-laws template since 2018.
- **Towing Rates.** Member Scheler asked to bring to a vote at the next meeting, that Fairfax County tow rates align with Commonwealth of Virginia rates. A discussion ensued.

## **Public Comment**

- Tamara Fernandez, Battlefield Towing & Storage, Inc.
- Ashley Miller, Dominion Towing & Storage, Inc.
- Heather Ferguson, Dominion Towing & Storage, Inc.
- Matt Benka, Northern Virginia Towing Coalition

The meeting adjourned at 5:55 p.m.

Fairfax County Trespass Towing Advisory Board  
2021 Yearly Planning Calendar  
As of January 27, 2021

January 27	
March 24	
May 26	
July 28	
September 22	
November 24	

**Possible Future Agenda Topics**