TOW BOARD of REVIEW
MINUTES
January 21, 2009

1. **CALL TO ORDER:** 1:43 p.m. by Chairman Marian Gaylord.

2. **ROLL CALL:**

Abma	P	Gaylord	P	Tenney	P
Baxter	P	Griffin	P	Walker-Norton	P
Ferrero	P	Madsen	P	Wilson	P
Friedman	A	Ridenour	P		

3. **RECOGNITION OF TOWERS/OTHERS IN AUDIENCE:**

NAME	COMPANY
Brian Kelly	21st Century Towing
Randy Nutting	21st Century Towing
Daniel Binns	A & B Towing
Don Yarbour	A & B Towing
Elizabeth Pacheco	A & B Towing
Eric Benson	A & B Towing
Jef Daniels	A & B Towing
Stephen VanDyne	A & B Towing
Steve Beach	A & B Towing
Craig Steketee	Crown Towing
Steve Dehning	Crown Towing
Aaron Hainline	Gerlock Towing
Necole Meyer	Oregon Dispatch
Gary Coe	Retriever Towing
Russell Hickey	Retriever Towing
Patrick Sanford	Safeguard Towing
Robert Wallace	Security Towing
Andrew Cochell	Sergeants Towing
Jesse Copeland	Sergeants Towing
Steven Preston	Sergeants/Security Towing
Dave Reichert	Speed's Towing
David Spencer	United Service Alliance
Greg Rains	United Service Alliance
Harry Zabeti	United Service Alliance
Kathryn Booth	United Service Alliance
Randy Kinser, Jr.	United Service Alliance

4. **Approval of Previous Month's Minutes**
   Motion by Griffin, seconded by Baxter to approve the November 2008 minutes, as submitted. Motion passed, unanimously.

5. Report from the Towing Coordinator

a. Status of Payments: One tower has outstanding payment from November, payment reported lost, but no replacement check issued.
b. Status of Reports: All on time
c. Status of Parking Enforcement Payments: All on time
d. Bonding and Insurance: Nothing to report.
e. Tow Log: distributed prior to meeting via email

Chairman Gaylord reported on difficulties of new City accounting system. Payments to towers for City tows and tows to Rivergate are taking longer than the contract provision of 60 days. Gaylord requested approval by the board to waive late charges for City service fee payments due for releases in the months of January, February, and March 2009.
Motion made by Ridenour, seconded by Griffin to waive penalties for late payment of City service fees. Motion approved unanimously.
Motion by Ferrero to approve the Towing Coordinator's report, seconded by Griffin. Motion passed, unanimously.

Change to agenda, moving to new business before old business and changing its order, also adding agenda item B. Tow Desk contracting services to Yamhill County.

6. NEW BUSINESS

A. Gary Coe requested to address the board regarding the qualified driver language in the current contract and the process required to appeal the denial of employees. Discussion on driving and criminal standards applied to non driving personnel.

B. **Request by HCKM, LLC dba Oregon Dispatch Service to provide Tow Desk service to Yamhill and Polk Counties** – Oregon Dispatch Service requests the Board's permission to enter into a contract to provide dispatch service to Yamhill and Polk Counties. The impact of providing this service to these additional agencies should be negligible, as the estimated number of calls is approximately 300 per month, or about 10 per day.
Motion by Ridenour to allow Oregon Dispatch Service to contract with Yamhill and Polk counties to provide dispatch services, seconded by Ferrero. Motion passed unanimously.

C. **Timeline for Dispatch Contract-** The Towing Coordinator presented a timeline for letting the July 1, 2009-June 30, 2014 Dispatch Contract. Detailed in the timeline were the development and approval of application materials and the contract, as well as qualifying inspections and award. See submitted document for complete detail.
Motion by Ferrero, second by Ridenour to accept the Dispatch Contract timeline. Motion approved, unanimously.

D. **Review of contract violations by Andy's Towing, recommendation for contract termination** – The Towing Coordinator recapped the suspension of Andy's Towing in December 2008 when information was received regarding numerous overcharges for tows completed by city contract. These violations were documented in four Private Non-Preference tows. A written response from Andy's was distributed to the Board prior to

the meeting and Mr. Hoai Tran, owner of Andy's Towing was allowed to present additional testimony.

Dick Griffin moved a finding of four serious breaches of the contract based on the evidence presented by the Towing Coordinator. The motion was seconded by Ed Ferrero and passed unanimously.

Motion by Ferrero to terminate the contract with Andy's and authorize the towing coordinator to undertake obtaining restitution for the four overcharged customers identified. Also to levy penalties in the amount of one half the overcharged amounts. Motion was seconded by Ridenour, and passed unanimously.

Motion by Ferrero that Andy's be allowed to reapply to be on the contract in 2011. Motion was seconded by Ridenour, and passed unanimously.

7. OLD BUSINESS

A. Criminal History Denial Appeals

Bob Wilson requested that employees that have been approved to work on the old contract be allowed to be given provisional approval without having to testify to the board, citing that most of the criminal activity in question is more than 10 years old.

Discussion followed regarding the meaning of provisional approval, and the results of completion of that one year period.

Motion to grant the following employees provisional one year approval based on their criminal history being greater than 10 years old. Moved by Ferrero, second by Griffin. Motion passed.

Woody Bonge, A&B
Daniel Binns, A&B
Russell Hickey, Retriever
John Lowe, Bucks
Daniel Dowdy, N&H
Gary Sparks, N&H
Andrew Cochell, Sergeant's
Robert Wallace, Security
Kathryn Booth, USA

The following employees provided additional information regarding criminal activity in their past, and efforts to improve their lives. Many spoke to working for tow contractors, and the benefit this job has had on their living situation.

Each appellant was heard individually, and a motion to allow these individuals to be granted provisional one year approval was made.

Theresa Leatham, Speeds, motion by Ferrero, second by Ridenour.

Greg Rains, USA, motion by Griffin, second by Baxter.
Brian Kelly, 21st, motion by Ferrero, second by Walker-Norton.
Randy Nutting, 21st, motion by Ferrero, second by Baxter.
Jef Daniels, A&B motion by Ferrero, second by Baxter.
Steven Beach, A&B, motion by Ferrero, second by Baxter.
Elizabeth Pacheco, A&B, motion by Ferrero, second by Griffin.
Don Yarbour, A&B, motion by Ferrero, second by Walker-Norton.
Randy Kinser, USA, motion by Ferrero, second by Baxter.
David Spencer, USA, motion by Ferrero, second by Griffin.

Each motion was approved unanimously.

Eric Benson of A&B Towing formally withdrew Charles Barker from the appeal process. His denial stands.
Michael Barber of Northwestern Towing did not appear or submit information to the board. His denial stands.

8. Motion to adjourn by Ferrero, seconded by Baxter. Meet adjourned at 4:23 pm.