

**Meeting Minutes**  
**Fauquier County Towing and Recovery Advisory Board**  
**September 2, 2015 6:05 pm to 7:35 pm**  
**Warrenton Volunteer Fire Department**

Board Members present: Billy Hitt, Steve Wright, Eddie Payne, Charlie Crummett, Neil Stribling, Ron Stanley, Dave Foster

Other Attendees: Mr. & Mrs. McVicker, Hansford Conner, Aaron Conner, Matt Whitmer, Kenny Embrey, Ron Jessee, Russell Crowe, Mark Sites, Rue McGee, Justin Foster, Kim Walkup

The meeting was called to order by Chairman Billy Hitt at 6:05 pm. The minutes were reviewed and motion was made by Neil Stribling to approve. Charlie Crummett seconded. All members were in favor.

Public Time was opened with no comments.

Chairman Billy Hitt opened the hearing in regards to incident that occurred on interstate 66 on May 27th with alleged overcharging against Aarons Towing. Chairman Hitt sent hearing notice to Hansford Conner and no one picked it up. He sent a second notice and met with Hansford and Aaron over this.

The board reviewed the information and pictures.

Mr. & Mrs. McVicker's spoke to the Board at the last meeting and sent Chairman Hitt additional pictures. Hitt passed pictures the Board to review and to the attendees. Steve Wright asked for copy of the bill. Hitt passed out Aarons Towing rate sheet.

Chairman Hitt asked the Board Members if they had questions and Steve Wright commented to Mr. and Mrs. McVicker to understand that what they do tonight is not the stopping point they have the option to go to the Attorney General Office.

Aaron Conner asked if anyone would know what the exact empty weight of the tractor trailer combination. McVicker's said not exactly. Aaron Conner said they were basing off of the 30 thousand lbs. per the price sheet. Billy commented some of the questions that the McVicker's had was they were charged one heavy duty that did all the work and charged \$900 for the 25 ton and wanted to know if the truck did any work. Aaron Conner said that the price sheet is not based off that it is based off the pound. Billy advised that was the problem it was on the bill. Hansford Conner said they asked for a breakdown and he said they usually do this by the pound and he agreed and broke it down for her. Aaron said if you do the math on 25 cents per pound times rough empty weight of 35 thousand pounds it comes out higher than what they gave them a price of. Hanford said it come out to about \$8700. Aaron clarified the price per pound includes whatever it takes to get the job done, truck quantity has nothing to do with price.

Board member Crummett had written down last month a figure of 45 thousand pounds and asked if anyone knew where that amount came from. It was agreed that it was a rough ball park figure. Hansford said that the extended cab Peterbilt should weigh about 19 thousand pounds and trailer should be between 15,000 to 17,500. Aaron said they roughed it on 16,000 and that 45,000 would be

too heavy. Mr. McVicker commented that they told him they did not charge him based on weight and then asked how they based their figures. Hansford said he did not. Mr. McVicker commented that Hansford said there was this, this and this and gave him the itemized list and told him if I wanted to charge you by the pound it would be a whole lot more money than this and Mr. McVicker asked what was his pound figure and he never gave him that. Hansford commented he told him 25 cents per pound. Mr. McVicker said he never heard that until now and commented it doesn't matter that he charged him what he wanted to and that they itemized that in the list. Mr. McVicker continued the pound is not an issue because you did not charge me by the pound because the bill you gave me which I paid half of there was no reference of any pound in there it was all itemized. You had one figure that you showed on cell phone that was \$8,200. The McVicker's asked for an itemized list and that is what they got on Friday the next day. Mrs. McVicker asked for further detail several times. Hansford said the insurance company said they were under insured and the McVicker's said that that does not have anything with the tow. Hansford explained that John from the insurance company said when they pick up the trailer the McVicker's would pay half the bill apparently there was no insurance on the trailer. Mrs. McVicker said that was not true they had liability and Hansford continued saying return they had to pay half the bill when picked up trailer and John would pay the other half. Mr. McVicker commented what he had for insurance on the truck or trailer is a non-issue on what you charge me. Billy confirmed that they were not there to talk about insurance. Billy asked if anybody had any questions and if anyone wanted to see the bill. Steve Wright wanted clarification and asked if they asked for a price on the side of the road and Mr. McVicker said that he asked what kind of money he would be looking at. Steve Wright asked if they asked for the trailer to be towed to a specific location, the owner of the trailer was there. Matt was never asked to tow trailer to the shop they wanted. He spoke to the McVicker's and told them where the shop was at and they said they wanted to follow him back to the shop and get some things out of the truck. He was informed by his dispatcher to disconnect the truck from the trailer because they were coming first thing in the morning with another truck to take the trailer out. Mrs. McVicker said that they were told they couldn't take the trailer that day even though once you got it back to the storage lot that you would have to put the trailer in and they could not release it to the boss at that time until the bill was paid and Mr. McVicker said nobody knew what the bill was. Mrs. McVicker said they were told to call the next morning to get the bill. They called the next morning and they still had to wait until Mr. Conner spoke to Mr. McVicker the next day and showed the bill on the phone. They were going to get the trailer that day but no one knew what the bill was till the next day so that was the reason the trailer stayed overnight. Billy said the question the McVicker's are getting to is if they had cash in their pocket that night could they have paid the bill? Hansford said that they could pay the bill. Billy asked how would they know how much? Hansford said they would have to talk to him or Aaron. Mr. McVicker said that he was told no one was in the office and they were out of town. Mrs. McVicker replied family emergency they were out of town. They tried to call him several times to get a price and were told they were being inconsiderate because he was at the hospital and he was dealing with a crisis and no one in the office was answering their messages to get the bill. Aaron said he spoke to Matt prior to going on the call. Dave Foster asked if the 25 ton did not do anything at the scene and wanted to know what the labor charge was for. Matt explained there were four of them out there and two did the winching of the truck and they had to siphon the rest of the fuel out. Mrs. McVickers wanted to know who the four were because they only saw 3. Matt said it was him, the driver of the 25 ton, and 2 to get the fuel.

Aaron asked if the Board felt the price was too high for the county. Billy explained the confusing part is the way the bill was done. Aaron said either way it is price per pound and they asked for a breakdown and they gave them a breakdown. Aaron asked if the 25 cents per pound was too high with estimated 30 thousand pound dry weight. Chairman Hitt said that he did not think 25 cents per pound was unreasonable he had checked around and it is in the ballpark. Chairman Hitt advised the problem is that they should have billed at 25 cents per pound with an explanation. Aaron said they discussed that and the next time they would just put 35,000 pounds times .25 that is the best they can do. Crummett spoke of \$140 charge for 2 days storage and sheet says \$65 per day storage on the sheet which is \$130. Chairman Hitt confirmed that \$140 storage, Aaron and Hansford said they overcharged \$10 for that.

Billy asked if there were any questions.

Sgt. Crummett asked if the landscape trailer was on the list. Hitt reviewed the list of equipment they can use and said no by the ordinance that is not a vehicle on the list. Crummett questioned the charge of the trailer on the bill in which Hitt confirmed it was \$1,500 for cleanup trailer. Crummett said he tried to find the ordinance online but could not find it, Billy explained ordinance on tow website. Eddie asked Mr. McVicker how much fuel he had in it. Mr. McVicker said about 75 on each side. Eddie wanted to know as far as cleanup if it was scoops, shovels and putting soil on the trailer. Matt Whitmer said that someone there said to clean up what they could and don't worry about the rest one. The dirt was not taken from the scene per Whitmer. Steve confirmed that they just pumped the fuel off the one saddle tank. Matt said yes because it had a basketball size hole. Dave Foster asked if they do all heavy duty by pound. Neil asked anything heavy duty is considered bigger than ¾ ton and he asked because he feels we will be back here again and wanted to know at what rate they deem it heavy duty. Neil asked if Aaron's got called out for a wreck today hypothetically they was called out vehicle overturned and you had to upright it what would make you consider that you would need a heavy duty? Aaron said they don't bring out unless they are called for it. Hansford agreed that a light duty should do a 1 ton. Hansford and Neil Stribling had conversation in regards to call on 17 near Ritchie Rd. Neil apologized for swaying off the path. Ron Stanley asked what size do they start the pound thing. Aaron said he was not sure and Hansford said they have not had that scenario yet, but reckons 550 up, 450 up depending what on back of and what law enforcement calls for. Aaron Conner commented that it depended on the circumstance. Billy reminded to go back to issue. Steve Wright commented not taking trailer to owners lot is something clearly in the ordinance 13.68 section p, that should have been done and suggested since he was looking at the bill that per 13.69 section, have everything filled out that there was not vin # can come back to bite them. Hansford said the McVicker's locked the vehicle and they could not get in vehicle for VIN #. Neil said that Steve and him talked and made phone calls to other heavy duty towers in some eyes price was too high and others was right in line with what they would charge. Neil also commented that one thing when asked how much and was showed on phone did not think that was professional, the operator should give some type of ballpark and that if they did not breakdown and charge the rate they did then we would of saved a whole lot of hassle. Eddie Payne said to have wrecker come out do nothing and charge \$900 that was his biggest problem. Ron Stanley and Billy Hitt said you did it by the pound there would not have been the rotator on there. Aaron said they did what customer asked. Mrs. McVicker clarified that they asked for an itemized bill so they can pay the bill which they did not get right away.

Billy asked if there was anything else from the board and asked Mr. and Mrs. McVicker if there was anything they would like to say in closing. Mrs. McVicker said it is just a lot of money and she

understands what kind of work they have to do, she appreciates the kind of work and what they have to go through and she feels that they were taken advantage of and further taken advantage of after we asked for the bill and got the bill and feel like they truly got taken advantage of. Aaron said they did it by the pound and broke it down.

Chairman Hitt reminded the Board that he can't make motions or second motions.

Steve Wright agrees with Charlie Crummett that the \$1,500 for the cleanup trailer that should have not been on the scene and the \$140 that should have been \$130. Chairman Hitt asked each member. Dave agreed with what Steve said. Dave commented 4 people labor for fuel and cleanup. Aarons said the breakdown of the bill was done improperly but the price per pound they gave a discount. Charlie Crummett rechecked the figures. Billy asked if there is a motion from the Board. Neil said that they can bring out what they want as long as they don't charge for it, they are in line with what pricing is and it was a poor judgment itemize and thinks that was done when pressured when they should of stuck to their guns with their price sheet, based on price sheet see no way to get around it, it is less than what their pricing is. Crummett said that they are right in line with their price sheet and where they got into trouble a little bit is when they tried to break things down and it started to snowball and he thinks the only discrepancy is really the \$10.00 from storage. Mrs. McVickers said that 25cents per pound is still and excessive fee would be does not know any trucker that paid an \$8,200 bill. Ron Stanley every year they price and we don't have a lot of judgment. Hitt called around to other places the last tow company did it by the pound and they went out of the tow business. Crummett if you had ½ load you would have had a \$20,000 tow bill. Billy said from a citizens standpoint I don't know that much about towing and if would have been him and he asked what the price was as a citizen I would of felt the same way. Mr. McVicker replied that he didn't have any options and the Trooper told him they had someone on the way. Steve Wright made a motion to issue a letter on the events that taken place that did not follow the ordinance like the trailer on the scene and way bill was written because really there is nothing in there that the Board of Supervisors don't authorize us to do anything about overcharges. It says it has to be comparable and it says to submit a price list. Neil Stribling seconded the motion on the table. All board members were in favor minus Billy who did not vote. Chairman Hitt stated motion carried.

Billy Hitt wanted to remind to make sure DAD cards were not running out. DCJS is behind. Suggest they give 3 month lead way before card runs out.

Billy Hitt commented that the other issue on the letter, VDOT is not interested in coming to meeting. Does not think there is a whole lot we can do about that. We have to have a complainant on it and at some point I have to do some mediation, whether you all believe it or not you need each other have to find a way to work together. Billy explained further. Hansford asked about Chain of command State Police/VDOT have meetings on the scene. Billy recommends that everyone go to Traffic Management class. Billy would be glad to send them out when he gets them. It is a four hour class that everything talked about was addressed in the class. Steve confirmed it was addressed in the class. Reflective will be addressed, different reflective percentage on primary and secondary road. Not sure if reflective vest will make it on primary highway passed in July but VDOT not pushing it yet. Require hard hats.

Hitt introduced Mark Sites said he has issue over a tow and he told him the Board could not hear it tonight, he does not think that he is looking but does have a concern because there was not given a 7 day notice. Mr. Sites said he was basically in same boat and does not know what the rules and regulations are when it something happens the tow bill is not the first concern. He had a guy that was

driving a F350 and was off the road 8 to 10 foot and he was given the option but only had 30 minutes to do it and he had the stuff to do it but it was going to take a lot longer. He had the option to flip it over in the field but the tow company showed up. He feels that they can show up with what they want, how much they want, how much labor they want and he has been under the understanding that when they drop the thing off you pay your bill I write them a check I don't expect no money back but it was \$1,225 and they towed it 4 miles they had to overturn it and there was an issue with fuel and he thinks they had the wrong information on what type of vehicle it was. Had similar issue where a F350 was towed 12-15 miles and it was not overturned but he charged \$250. He did not have the knowledge but thought it would be about \$450 and he gets the bill for \$1,225 and if that is the going rate than that is fine. But you have no say in it but \$250 versus \$1,225 that is a jump and law enforcement calls for who is on the list and there is one tow company that is charging a lot of money for it the owner should have the right to realize you are going to be charged a lot for it. Billy said that by code we can't act on it. Steve wanted to set up a meeting for October. Aaron asked Billy if he would pull the tape from dispatch on it and Billy agreed. Mr. Sites said that he is sure there is a reason why they charge the way they did. Public has the right to owners request but has to be within a certain proximity. Mr. McVickers asked for clarification on owner's request. Charlie Crummett explained a communications error with the state police in regards to their tow and Mr. McVicker said he paid for it. Date for next meeting October 7<sup>th</sup> 6:00 pm at Firehouse. Mr. Sites and Chairman Hitt talked further about his tow and Billy said he would listen to the tape.

Motion to adjourn was made by Steve Wright, Neil Stribling seconded. All members in favor.