



**California Tow Truck Association
BOARD OF DIRECTORS MEETING
February 22, 2013
Sacramento, CA**

A regular meeting of the Board of Directors of the California Tow Truck Association was held on Friday, February 22, 2013 in Sacramento, California.

The following members of the **Executive Committee** were present unless otherwise noted:

Perry Shusta, President	Tracy Koehler, Secretary
Sherry White, 1 st Vice President	Billy Myers, Treasurer
Terry Warford Jr., 2 nd Vice President	Jim Kruger, Immediate Past President
Casey Horvath, 3 rd Vice President	Rick Bays, Past President
Lisa Isenhower, 4 th Vice President	

The following Directors, guests, and staff were present unless otherwise noted:

Capitol Bruce Johnson Doug Nelson Terry Warford Sr.	Greater Bay Burt Dean Randy Levitt Khurram Shah Quinn Piening Kim Skinner (absent)	Pat Gay (alternate) (open)	Redwood Alex Berg Steve Barnes
Central Valley Andrea Olivarez Beverly Myers	Inland Empire Arlan White Cassandra White (absent) Michael Payne Terry Jordan	Monterey Dion Bracco Tony Viridi(absent)	San Diego Chuck Sturrock (absent) Steven Hendrickson (alt)
Desert Troy Zimmer (absent) Trent Butzlaff(absent)	Los Angeles Alice Elias Carvel Gay Dan Silva	North State Earl Peterson Joy Ann Luther	San Joaquin Kevin McCracken open
Golden Empire Craig Tarello (absent) Dave McDanell (absent)		Orange County Jay Van Arsdale Dijon Woods	Tri Counties Kathy Gean Chuck Love
		Palomar Gene Inderrieden	

Staff

Glenn Neal, Interim Executive Director
Karly Worl, Vickie Young, Sue Dalrymple Larry Muzamel

Appointed Alternates

Dave Schley- Greater Bay Chapter
Pat Gay- Los Angeles Chapter

Call to Order Perry Shusta

Pledge, Invocation Carvel Gay and Sherry White

Roll Call Self Introductions

Closed Session N/A

Secretary's Report

Approval of Minutes Motion Made by Arlan White Dion Bracco 2nd Motion Carried

Treasurer's Report

Treasures Report Billy Meyers

Budget and Profit and Loss Presented to BOD and explained by Billy Myers

Dion Bracco made a motion to approve the minutes Arlan White 2nd.

Motion Carried.

Staff Reports

Karly Worl Tow Show Recap

We reach 100 exhibitors with 99 paid. Attendees was 1100

Exhibitor feedback was that Friday was great Saturday was slow. Over all two days was better than two and half days. Vendors were not happy about being charged 75 per vehicle to park them. We discussed taking this task on ourselves for next year to cut out that cost to Vendors.

Attendee would like changes made to the class schedule.

Thursday night reception big hit

Dan Silva thanked Karly Worl and her job she did.

Financials: Net 84,834.97 Tow Show

We decided to stick with GES.

The Driver's Competition Change was a success and Jim Kruger wanted to improve the image and have the competitors come in full uniform. Perry Shusta would like to see his idea of tire changes and lock outs continue.

Billy Myers thanked Steve Hendrickson for donation of truck for the Driver's Competition.

Karly Worl brought up that many vendors have been confused between the American Towman Show in May and the CTTA Show in San Diego.

Larry Muzamel would like to be proactive and contacting all tow companies in California to promote our Tow Show.

Terry Warford Jr. suggested putting a booth at American Tow man

Beverly Myers made a motion to have a booth at Las Vegas Terry Warford Sr. 2nd the motion. Jay Van Arsdale is Opposed, Three abstained (Dan Silva, Lisa Isenhower and Terry Jordan) Motion Passed.

Jim Kruger wants to look into Out of State Membership (Affiliate Membership) to promote us. Karly Worl offered free booth space and discounts at our show to other associations. Sherry White agreed we needed to reach out to members and associates out of our area.

Jim Kruger suggested offering training outside California to such places as Nevada and Arizona

Karly Worl is looking into purchasing mailing list from Tow Times.

The new Website for Western States Tow Show up and redesigned for 2013.

Dijon Woods wanted to know more about the raffle bookkeeping. Karly explained that the raffle raised \$12,000 and the bookkeeping is being worked out for next year. Doug Nelson would like the Tickets ahead of time and Karly Worl agreed but we are working on securing raffle prizes.

Steve Hendrickson wanted to rethink the Vegas Show Booth. Perry Shusta suggested thinking it through the meeting and bringing it up at the end of the meeting.

Avecetra issues have been a constant problem, the office staff went to Avecetra's Customer Forum to get some solutions and realized many other users have the same complaints.

The staff is exploring and testing new programs. The new website has been built on SquareSpace and cut down the cost per month.

Member directory now available in PDF Form.

15 Minute Break

Staff Reports Continued

Glenn Neal Presentation of the progress we have made since 1969.

Education – started off strong declined and we are now in upward trend.

Chapters reporting quarterly financials and chapter minutes is noncompliant and is required reporting.

Election process is having a low turnout and participation. Many problems with the lack of participation and creates legal issues.

Solution 1: Office staff manages inactive chapters. Chapter members would become state members until a valid local board election. All money would go back to the state and held in trust.

Solution 2: Chapter merge with closest function chapter

Solution 3: Restructure chapters: All members become State members, chapters become district

Solution 4: ? Open to ideas from the board

Glenn Neal expressed that we need to have a solution to the legal issues facing the Association.

Larry Muzamel introduced himself and Ideas for growth. Larry Muzamel expressed concerns of the public not knowing who we are and our value to our members along with our image. He would like to get out there and find out what our members want, involvement from membership and to work on public image and publicity.

Board Members Broken into Groups to find Pros and Cons to Glenn Neal's proposed solutions.

Pros and Cons Group 1: (Office staff manages inactive chapters. Chapter members would become state members until a valid local board election. All money would go back to the state and held in trust.)

State needs to know where the money is and we don't dissolve the chapters but instead suspend them, it keeps the option open to return to Chapters. It does fix the legal issues. It is the feeling that the state needs to spend time educating the chapters give the chapter time to regroup.

It's a temporary solution and leaves no local interaction. The temporary solution may become a permanent solution and we may lose participation from members.

Pros and Cons Group 2: (Chapter merge with closest function chapter)

Pros are that a larger chapter means larger pool. With the use of technology it may work.

Cons are a larger geographical and local politics create a loss of members.

Pros and Cons Group 3: (Restructure chapters: All members become State members, chapters become district)

Compliance can be disburse through the state and reduce risk. If there is no compliance maybe a sanction could be imposed.

By doing this you are losing the small group representation and not sure if this even a solution

Group 4: (? Open to ideas from the board)

Individual member marketing and making contact let members pick their chapter

Andrea Oliverrez suggested a membership drive and incentive program. Andrea Oliverrez explained we need to act immediately on legal issues. Until minutes and financial reports are submitted financials should be frozen. Brooks Ellison explained there is a difference between the voting issues and financial allocations.

Jim Kruger suggested they don't allocate quarterly finances and establish accountability.

There has to be a solution made today for legal purposes. Perry Shusta would like to put the liability on the office and no longer at the chapter level. Glenn Neal explained the staff could handle the on take of chapter minutes and financials. Andrea Oliverrez suggested a template for minutes. Michael Payne suggested immediate freeze on funds. Perry Shusta suggested letting chapters choose whether they want to handle or hand over to the staff in office. Rick Bays addressed the lack of participation concerning elections. Bruce Johnson asked that we give guidance to the chapters on the rolls expected of them. Sherry White suggested having chapters submit a budget. Arlan White brought up concerns about chapters having access to funds quickly.

Andrea Oliverrez made a Motion to Direct Executive Director and Legal Counsel to take immediate actions on chapter compliance to allow time to comply. Arlan White second.

Abstained: Dan Silva. Motion carried.

Lunch Break

Staff Reports Continued:

A Quorum defined at a Chapter Level is a majority of Chapter Board Present

Steve Hendrickson made a Motion to Allow Chapters administration functions given to the State Level if the Chapter chose to do so. Jim Kruger Second. Motion Carried

Perry Announced That the Legislative Committee and TSA Presentation Would Be Together

Legislative Committee Report

Presented by Casey Horvath, Chair of Committee

The legislature has been quiet due to holidays, economy and new faces in Sacramento

Pat Whalen from Ellison Wilson Advocacy's Office is in court today in San Francisco for the Permit Issue.

Kurt Blackburn Presentation:

A Democratic legislature currently occupies 2/3 of the assembly and senate. There are 38 freshman in an 80 member assembly. New Dynamics at the Capitol. Steinberg and Perez remain Pro Tem and Speaker. There are an overwhelming amount of new bills introduced.

CTTA MCP bill AB306. Makes a tow company responsible for making sure that all tow companies picking up vehicles have a motor carrier permit. This means if you retrieve or deliver a vehicle from a tow yard you must provide proof of a Motor Carrier Permit.

AB529 Bill would expand BIT program to all vehicles that possess a Motor Carrier Permit. Fees will be paid to DMV when you pay your motor carrier permit. This would also change the BIT inspection to a performance based inspection.

AB60 allows undocumented immigrants to obtain a driver's license.

AB175 would prohibit peace officer from impounding of a vehicle for the driver being unlicensed.

AA335 would allow another driver to pick up a vehicle within a reasonable amount of time.

CARB Compliance bill attach the DMV registration with compliance with CARB.

Legislative Committee recommends the board should vote in support of this bill and CTTA send out a CARB Refresher to membership.

Motion: Arlan White made a motion to support the compliance bill and adopt the leg and send out education information to membership. Carvel Gay 2nd.

Motion carried.

Legal updates SFPD Litigation SF has split two case federal and state. Currently Pat Whalen is in court in San Francisco.

1 hour parking- one hour parking if held open to the public. Ruling only requires a tower to make a good faith effort to ensure the car is there for an hour.

Dan's City Used Cars V. Pelkey- Amicus brief was submitted regarding the FAAAA. This decision could have a direct impact on our San Francisco Litigation.

Terry Warford Jr. TSA Presentation:

CHP TSAC Committee meeting was held and Glenn Neal, Perry Shusta and Terry Warford Jr. were in attendance. A draft was made Changes made to this draft:

- If you own two businesses you must separate the yard completely.
- A Trainee may be in the truck as long as they are with a certified driver.
- You must have a retractable boom and extended to respond to a CHP call.
- Class B Truck must have 33,000 GVW to be considered if you have a truck currently on rotation you are grandfathered in until 2014

Brooks Ellison Presentation

Handling Regulatory Issues T-ROC Towing Regulatory Oversight Counsel Replace the Leg committee and TSA committee

16 members from lines of business and from different geographical areas then nominated by Executive Committee and an elected by 2/3 and confirmed by 2/3 of the Board of Directors.

Brooks Ellison recommended a minimum of 10 years experience and in good standing in the CTTA. They must have the willingness to put the best interest of industry experience and professionalism ¾ of the members shall be board members no more than 4 should be Executive Committee Members

Executive Committee should nominate two for co chairs one from north one from south. One would facilitate the TSA.

There will be five meetings a year, four scheduled and one floating meeting. TROC would also meet for at least an hour and would include an update on the CHP TSA. TROC meeting would be open to the public and would be held at CTTA Board Meeting to Solicit input from the members. Actions must be approved by ¾ vote of the council. If unable to make a decision Executive Committee will make the final decision. Board could overturn any TROC action by a majority vote.

Terry Warford Jr. made a Motion: Adopt the proposal to form the Towing Regulatory Oversight Committee, including: ·

Merge the existing regulatory committees (Leg. & TSA) into one 16-member council that would have oversight responsibility for all towing regulatory issues·

T-ROC Structure:

Qualifications: 10 years' experience, good standing in CTTA, professional

Even distribution of lines of business & areas ¾ are Board Members, no more than 4 are EC

2 Co-chairs from South & North; 1 focuses on CHP/TSA

Nominated by 2/3 vote of EC; confirmed by 2/3 vote of Board

2-year staggered terms at the pleasure of the EC/Board

5 meetings per year, including open meeting at each Board meeting

Report provided at each Board meeting

T-ROC action must be by ¾ vote of Council; EC to make final determination if no consensus; Board may overturn any action with majority vote

Motion Passed unanimously.

Terry Warford Jr. announced that Gina Mattucci was stepping down and Dennis Davidson is stepping into her position with CHP

Education Committee Report

Presented by Lisa Isenhower, the Chair of Committee

Light duty recertification course level 2 course which would extend your certificate was started in August now complete in final editing.

Staff has created monthly safety meeting and will now be available on the website. Driver's log and pre and post trip inspections are being edited and then will be available on the website

Next topic hybrid and CNG.

Line of Business Division Committee

Presented by Tracy Koehler Committee Chairperson

The committee has been working diligently on the progress of the Lines of Business Forum and is almost complete. Your enrollment will be attached to your dues with the CTTA. You will get one year free access with your membership. This will be attached to your log in into the CTTA Website. Each Company will receive two logins for Owners and you must sign a waiver (that will be written up with the help of Ellison Wilson's Office) if you would like a manager to have access. When logging in use a picture of yourself and not your trucks or shop. We want to put names with faces.

Governance Committee Report

Presented by Sherry White Committee Chairperson

Total of 13 articles in bylaws revised 1,2,3 are don and working on 5-9 expect to be done then to Ellison Wilson's office for review then brought to the Board of Directors for approval.

Old Business

New Business

Duane Thompson thanked everyone for their time and effort and gave his stamp of approval on the idea of TROC.

Kevin McCracken and Joy Luther educated us on the Constitutionalist rights group

Andrea Oliverez asked if there is anything we can do as an association to render an opinion or legal counsel to this issue.

The legal counsel is there to assist the board and not to individual matters.

Voting of New Executive Committee Members

Installment of New Executive Committee Members by Larry Mazumel.

President Sherry White Adjourned Meeting

Respectfully submitted,

Tracy Koehler

Secretary