

STATE OF WEST VIRGINIA  
RANDOLPH COUNTY COMMISSION SS:

At a special session of the Randolph County Commission in and for the aforesaid County and State, at the James F. Cain Courthouse Annex, on the 15th day of November, 2018 at 11:00 a.m.

PRESENT: Michael Taylor, President of the Randolph County Commission and Chris See and Mark Scott, Commissioners thereof.

Meeting called to order by President Taylor

President Taylor said by statutory WV Law the Commission is required every three years to meet with the local wrecker companies and go over basically the County policy as far as the 911 dispatching of the wrecker services. He said today Jim Ancell who is the Deputy Director of OEM/ 911 in the County and Julie Lewis who is one of the assistants in the OEM/ 911 Offices are here. He said what they hope to accomplish today is to hear from them and take some input before they come up with an updated policy and any corrections, additions or omissions that need made to the current one. He said everyone will be given an opportunity to have some input. He said it won't be ready by the end of the day, will take some time to review and digest it. He said Cindy Hart is out of town today so he is going to turn it over to Deputy Director, Jim Ancell.

Mr. Ancell said he was glad to see the turnout. He introduced himself and Julie Lewis and said that Julie is their administrative assistant and if anyone has any complaints or problems they should contact her. He gave handouts to everyone in attendance. He said the same policy has been in effect for several years. This is right out of State Code. He said he would like everyone to review what he is passing out and if they have any comments he would like to know about them so they can discuss it and make it fair and equitable for anybody here. He said the way the dispatching works now is when an accident happens the vehicle's owner is asked if they have a specific wrecker service that they want called, if that happens that wrecker service is called directly. The second option is Law Enforcement Officer on scene, if he has a preference or due to the highway being blocked and he needs to get somebody out there immediately to clear the roadway to make it safe for public safety we would dispatch who the officer wants to send. He said next would be go back to the rotational list, which he is sure everyone has heard about it before. He said the way it is currently set up is if an agency goes through the public service commission and becomes certified as a wrecker service, the public service commission sends 911/OEM a notification that there is a new wrecker service in the area and they add those to the list. Mr. Ancell said at this point the Commission has not directed them to not add people so they will continue to add them and as a matter of fact there is a new one that wasn't notified of this meeting because it is so new. Randolph County 911 reserves the right to remove any wrecker company from the rotation list for violation of guidelines outlined herein. He said they have had wrecker companies call in and verbally abuse the 911 dispatchers. He said every call to the 911 center is recorded with audio and video. He said if any of them have a question on how things are being

handled contact Julie Lewis. He said Julie will notify him and they will pull up the recordings and listen to it and try to fix any problems there is. He said no one is perfect and the 911 dispatchers are under pressure when there is a car accident, big truck wreck or whatever because they are sending out ambulances, fire department, law enforcement and wreckers. He said law enforcement is the eyes on the scene and tells the 911 center how to handle the call. He said they have tried to take all of the decision making away from the dispatchers so that it runs the same every time. Mr. Ancell said they only want one phone number per wrecker service. Don't make up another company with another number so that you can be put twice on the rotation list. They want them to be available 24 hours a day, but they understand sometimes they are busy with other wrecks or something and can't come. He said that is the purpose of the rotation list so that they can move to the next one. Mr. Ancell showed a sample of the log book/rotation list. He said each dispatcher has one to go by. He said if law enforcement calls for next available then they do not lose their place on the rotation list. He said if they call them and they take the call they go to the bottom of the list. He said if they call them and they don't answer the phone they go to the bottom of the list. If they call them and they say they can't handle this call, they go to the bottom of the list. That makes it fair for everybody on that list to have an opportunity to rotate through their turn. Mr. Ancell said also on this data sheet is a CAD number. These are five digit CAD numbers. If there is a question and the wrecker service calls in and says there was an accident and they didn't get the call, the CAD number is listed on the sheet and on the recording. He said the audio, video, typing and everything about that call will be recorded and will be the property of Randolph County. He said when they log a call they do it in one of four ways which are took the call, call not answered, refused to take the call or was unavailable. He said there is exceptions that are sometimes made if they need a large wrecker sent out. He said a wrecker company may have to be bumped if they don't have a large wrecker, but if so they do not lose their place on the rotation list. He said they currently only have one wrecker service in the County that can handle the big truck wrecks but they have others that are in proximity that would be closer. Mr. Ancell said right now this is not carved in stone and they want everyone's feedback to see if they are headed the right way.

Henry Dawson asked if there could be a big wrecker list and keep them off the regular rotation list. Mr. Ancell said essentially that's what they have. Buster Varner said he reads the newspaper and he thinks it's very unfair for one individual to hear the tones go out that there is a dump truck, tri axle or whatever that has wrecked and they get in their wrecker and go to the scene without even being called and he knows that this does happen and that is not right. Mr. Varner said he knows that the tone goes off and the wife calls in and says her husband is on the way to the scene. Mr. Ancell said there is nothing they can do about that. Buster Varner said basically what you have right now is he could come over here and set up a couple wreckers anywhere he wants and whoever gets to the scene first gets the call, that's the way it is now. Sheriff Mark Brady said that should not happen. He said once the law enforcement officer arrives on the scene or the fire department arrives on the scene someone should determine if a wrecker has been called, if the owner requests someone they would call in to 911 and ask for that wrecker service, if no one has been called it will be the officers determination to use the next wrecker on the list or whatever the officer has determined. If somebody else shows up on scene they

don't get that call, it goes to the one that was dispatched out by the officer. Mr. Ancell said that is the way it should be.

Jimmy Tincher said the other morning he was dispatched out to go to rich mountain, had a vehicle over the hill. He gets up and gets dressed at 2:00 in the morning and runs out to get in his truck and before he can get in his truck they called him back and said Colonial Court has got it and we don't need you. He has already been woken up and 911 called him so why should that officer refuse him when he is on the way?

Commissioner Taylor said it's not the Commission or 911's role to tell Mark Brady how his officers are going to handle it. That's a separate function. The main role of 911 is to take the call from the deputies, city police, state police or whomever. The dispatcher can't tell the officer that they can't change their mind. He told Mr. Tincher that 911 is doing what they are directed to do by law enforcement. It's not an issue for 911, they are simply following what they are supposed to do.

Sheriff Brady said the Commission's role and 911's role is to establish the requirements to have a wrecker in this County and then to establish a wrecker rotation list. He said then it is going to be the officer on the scene to determine how the wrecker then works.

Jimmy Tincher said his daughter had a wreck at Valley Head. She requested him through the deputy, the deputy knew that it was his daughter but he refused to let her use him and called an illegal wrecker service to tow her car. Mr. Ancell said they can pull that up and check into it on the recording. Mr. Tincher said the deputy refused to let her call and he would not call for her and he used someone that is not even on the list from Valley Head. Mr. Ancell said the dispatchers do not know that. He said sometimes the fire department arrives on scene first and the vehicle owner tells them who they want but the dispatchers are told not to dispatch until the law enforcement officer arrives and tells them to. He said they are not going to second guess the officer on scene.

Henry Dawson said that's not true because the fire department has called in to 911 before and said the person wants Jimmy and they come back on the scanner and say they are sending Jimmy.

Todd Wamsley said Mr. Ancell is saying they do not dispatch the wrecker until the officer approves that, is that what you just said?

Mr. Ancell said he believes that is their policy.

Kevin Tinger said he has arrived at the scene before and there is no officer there and there is another wrecker already there. He said he usually just leaves and lets them take it and doesn't cause a scene, but this is an issue.

Mr. Ancell said to contact Julie and let them know when this happens.

Discussion followed. Most of them said this happens a lot.

Mr. Ancell said they are not aware of these situations if no one files a complaint.

Jimmy Tincher said they have contacted the public service commission and they say they do not have anything to do with it and to contact the County Commission.

Sheriff Brady said what really needs to happen is that the captain of the state police, city police and himself should all be involved.

Kevin Tingler said officers are also using cell phones to call in wrecker service.

Mark Brady said that should not happen. He said all the calls should go directly to 911.

Mr. Ancell said they won't have a record if they call someone on their cell phone.

Todd Wamsley asked if it was possible before the policy is adopted for this year, that they could put a committee together, a couple of the wrecker service members, maybe someone from the 911 Office, Sheriff, Captain of the State Police, Chief of Police so that they can all get their input in and work on that policy. He said he has talked to some other counties and that is how they do it. He said right now it is the 911's policy but it affects the wrecker services pocketbooks.

Mark Brady said he agrees. Jim Ancell said if there is an inconsistency between the officers someone needs to let them know because there can be a penalty if this isn't followed. He said if someone needs to be suspended then they can do that.

Kevin Tingler said they asked for an itemized report before and never got it.

Buster Varner said Pocahontas County appointed a committee and did an Ordinance. He had a copy of it and said it is working well so far.

Kevin Tingler said the reasons that the officer requests another wrecker service should also be recorded. He said he has had customers tell him that the officer on scene suggested a wrecker service to them after an accident. He said the officers should not be allowed to spit out names of wrecker services to the people. He should be using the next on the list or if the person is coherent enough to make up their own mind of who they want then that wrecker service should be called.

Jimmy Tincher said people call him all the time looking for their cars. Kevin Tingler agreed. Mr. Ancell said if they call the 911 center they can tell them where it went.

Henry Dawson said the rotation list isn't working. He said yesterday alone there were two wrecks within an hour and a half and it was called for next on the list and Colonial Court was called for both of them. He asked how did they get back to next on the list that fast? Todd Wamsley said he did get them but all he did was answer the phone when he was called. He said he doesn't own a scanner he just goes by the calls he gets. Henry

Dawson said it is not his fault. Mr. Ancell said he would check it when he gets back to the office.

Kevin Tingler said they would like to have a log sheet for every month that shows all the calls and who was called, which they requested before, but he never received one.

Mr. Ancell said they started this log sheet on paper in March and he can tell them how many times Colonial Court has been called out and so forth.

Mr. Varner said he has only gotten two calls since March so the rotation list can't be working.

Commissioner Taylor said by the power vested in the Commission this is going to be the committee, three from the wrecker services which will be Todd Wamsley, Henry Dawson and Kevin Tingler. The captain of the State Police or his designee, Sheriff or his designee and the Chief of Elkins Police Department or his designee, Commissioner Scott for the Commission and Jim Ancell for 911/OEM Office. Commissioner Taylor said he suggests they get together and share their concerns with one another. They are welcome to use the meeting room for meetings. Once they form a list of recommendations and present it to the Commission they will take a look at them and they will look at the Ordinance that Pocahontas County has done. He said at the end of the day once it is put down in writing that is what they have to go by, so be careful what you ask for. He said he recommends that the wrecker companies get together and meet and make recommendations and then the three wrecker company representatives set up a meeting with the others on the committee to go over everything. He said it will probably take a few meetings to iron it all out.

Henry Dawson asked if a dispatcher can be penalized for giving calls to the same person all the time. Mr. Ancell said he will definitely check into it.

Mr. Dawson asked if the dispatchers know where the wrecker services are located in the County? Mr. Ancell answered yes, but Mr. Dawson does not agree.

Kevin Tingler said the dispatchers need to give them more information such as if the vehicle is down over a hill and so forth.

Commissioner Taylor said this meeting is being recorded and the minutes are being taken by the County Clerk and any meetings that the County Commission has she will take the minutes but for any meetings they have between themselves they will have to take their own minutes.

Mr. Ancell asked for them all to put their name and phone number and email address so they can be reached.

Henry Dawson asked if Mr. Varner has a place in Randolph County? Mr. Varner answered no. Mr. Dawson said he pays taxes in Randolph County and does everything in Randolph County. He said if there is a wreck in Valley Head then someone in Randolph

County should get that call, not someone from another County. He said if no one is available from Randolph County then that's fine to call out of County wrecker services. He said that is not right.

Mr. Varner said he spends a lot of money in Randolph County, a pile of money. He said one other time this was brought up and he was told he had to get a license in Randolph County, so he did. He has not turned down one wrecker call from Randolph County. Why should he be penalized because he lives in another County? He said if Mr. Dawson would like him to he can buy a piece of property in Randolph County and just cut his throat all he wants if that's the way he wants to do it. Mr. Dawson said you won't be cutting my throat. Mr. Varner said he would because he would be getting more wrecker calls.

Sheriff Brady said we are not here to discuss all that here today.

Kevin Tingler said we are limited in big trucks and Mr. Varner is first to provide the service that we have to have.

Mr. Varner said if you take him out of the wrecker rotation for Randolph County and you have a big truck accident then you would have to call someone in from somewhere else and then it will cost a lot more money.

Commissioner Scott said what needs to happen is we will meet as a committee, come up with some recommendations, and it may not make everybody happy, but we will come up with a set of recommendations that works, working with law enforcement and them and it will work. It will work better than it is now.

Commissioner Taylor said this meeting is adjourned.

Attest: \_\_\_\_\_