

## **COUNTY OF BRANT POLICE SERVICES BOARD**

Brant County O.P.P. Station  
Wednesday, March 17, 2010  
9:00 a.m.

**Present:** Mayor Eddy, Councillor Powell, Members Lucente and O'Byrne, Staff/Sergeant Prevett and Heather Boyd, Secretary

**Regrets:** Member Emmott and Detachment Commander Durant

**Others:** Cope Koekoek, Bob Waite, Mike Kaczur, Ed Derus and Dale Cogger

Wally Lucente in the Chair.

### **APPROVAL OF AGENDA**

The County of Brant Police Services Board agenda and addendum for March 17, 2010 were approved.

.Carried

### **DELEGATIONS / PETITIONS / PRESENTATIONS - COUNTY OF BRANT O.P.P. TOWING SERVICES**

Cope Koekoek, Copers Towing and Flatbed Services, outlined concerns about towing services in the County of Brant and the Towing Association County of Brant (the 'Association'). He stated that historically, towing service providers who met O.P.P. criteria could be added to the call rotation list directly by O.P.P. staff but now that the Association has hired a new communications centre, they are the only ones who can add to or remove from the list. Mr. Koekoek suggested that if Brant County O.P.P. is going to authorize one group to manage and administer the call rotation list, that group should be representative of and accountable to all tow companies in the County. He questioned the Association's authority to approve / reject tow companies for O.P.P. calls and the fairness of the Association's membership process.

Chairman Lucente provided a brief review of this issue which arose when complaints were received regarding inconsistent towing charges and practices. It was recognized at the time that there is no regulation or complaint process to deal with these concerns. In the absence of Provincial regulation (which may still be forthcoming), the County considered options to either regulate the service or to call a tender for towing services. In response to concerns that tendering may result in any or all County towing companies being eliminated from the call rotation, a third option, to grant the Association the opportunity to formalize its practices and address the concerns, was considered. At present, the Board has not proceeded with calling the tender, but this may still be an option if the disagreements amongst the towing industry and the Association cannot be resolved.

Bob Waite, President, Towing Association County of Brant, responded that all County of Brant towing services were forwarded letters of introduction from the Association outlining their by-laws and procedures and inviting them to submit applications for membership. He noted that two key objectives of the Association were to establish uniform rates and to establish a fair and impartial call rotation process. In response to suggestions from the Police Services Board and the O.P.P., the Association hired a call service to provide the public and O.P.P. with one point of contact for all of the Association's members. Mr. Waite indicated that the change in communication centres was in response to the fact that the former provider would only add or remove companies at the O.P.P.'s direction. In order to properly provide the service, the Association needed to deal with a company that would amend the list at the Association's direction, as suspension / removal from the list is the Association's only recourse for violations to its by-laws. Mr. Waite suggested that Copers Towing and Flatbed Services has submitted a membership application, but approval cannot be granted until appropriate supporting documentation can be provided.

In response, Mr. Koekoek questioned the Association's authority to require certain insurance documents and raised concerns about the fixed rates established by the Association, suggesting that these are unreasonable.

Ed Derus, E.D. Towing and Recovery, reviewed that he had submitted an application for membership in the Association, which was initially accepted by the Executive, but then he was later advised that "staff" had concerns with respect to his submission. He indicated that because his father owns a separate towing service, concerns arose that E.D. Towing and Recovery was basically an "extension" of his father's company and therefore ineligible to be added to the rotation call list. Mr. Derus suggested that the two companies are legal, separate entities and as such are both entitled to inclusion on the list. He noted that his company has suffered financially from not having received any O.P.P. calls since November.

Mike Kazcur, Ken's Towing & Towing Association County of Brant, reviewed that often towing companies will "branch off" as separate corporations in order to increase their visibility and entries on call lists and directories. He noted that in the interest of fairness, several such listings were removed from the rotation call list. This is the primary concern regarding Ed Derus' application.

Dale Cogger, Jamieson's Towing, questioned the credibility of the Association and indicated that he was never notified of the changes to the call list or offered an opportunity to apply for membership.

Bob Waite, President, Towing Association County of Brant, clarified that as Jamieson's Towing is affiliated with a body repair shop, they cannot meet the by-law requirements and are not eligible for membership in the Association. This is due to concerns in the industry that tow companies affiliated with repair shops may influence their customers to get repairs done at that shop. This rule was recommended by insurance industry representatives.

Mr. Waite offered to enter into independent mediation between John Derus, Ed Derus and the Towing Association to resolve the question of whether the Derus' companies should be considered as one or separate entities for the purposes of the rotation call list.

Cope Koekoek, Copers Towing and Flatbed Services, questioned the Association's practices and suggested that several companies may have been rejected / left-out for personal reasons. He further suggested that a new organization, including representation from all towing service providers and possibly O.P.P. / former O.P.P. personnel familiar with the process, be formed.

Bob Waite and Mike Kaczur left the meeting.

### **MINUTES**

Moved by – Michael O'Byrne  
Seconded by – Councillor Powell

That the County of Brant Police Services Board minutes of February 17, 2010 be approved.

.Carried

### **BUSINESS ARISING FROM THE MINUTES**

Update on Tender for Towing Services – Staff Sergeant Prevett reported that comment from O.P.P. Legal Services has yet to be received regarding the process to call a tender for towing services. The Board discussed the various submissions and agreed that it is not the Board's position to mediate disputes regarding membership applications. It was further agreed that the Association be granted an opportunity to resolve the concerns amongst the industry itself and that if a reasonable resolution cannot be reached, a tender may be the Board's only option.

Moved by – Mayor Eddy  
Seconded by – Councillor Powell

That the County of Brant Police Services Board receive as information the presentations made by the Towing Association County of Brant and representatives from individual towing service providers in the County of Brant;

And that the Towing Association County of Brant be requested to review the submissions and report back to the Police Services Board at their meeting on May 19, 2010 on the concerns raised and any improvements / resolutions to the issues that have been achieved.

.Carried

It was agreed that in the meantime, O.P.P. staff would seek a response from O.P.P. Legal Division on the tender and that Lynn Dale, Legal Services Coordinator for the County of Brant would be invited to attend the May meeting.

Cope Koekoek, Ed Derus and Dale Cogger left the meeting.

---

**STATISTICS – FEBRUARY, 2010**

1. Detachment Commander's Report – Staff/Sergeant Prevett presented the Detachment Commander's Report.
2. Statistical Report – February, 2010 – Received as information.
3. O.P.P. False Alarm Monthly Summary – February, 2010 – Received as information.
4. Community Policing Committee Minutes – Minutes from the Paris Community Policing Committee meeting of January 28, 2010 and the Brant North Community Policing Committee meeting of March 3, 2010 were received as information.

**CORRESPONDENCE**

1. Ministry of Community Safety and Correctional Services – Safer Communities – 1,000 Officers Partnership Program Contract for 2010-2012.

Moved by – Councillor Powell

Seconded by – Member O'Byrne

That Wally Lucente, Chair of the County of Brant Police Services Board, be authorized to sign the agreement between the Minister of Community Safety and Correctional Services, the County of Brant and the County of Brant Police Services Board for the "Safer Communities – 1,000 Officers Partnership Program Contract for 2010 – 2012";

And that this agreement be forwarded to Brant County Council for approval.

.Carried

2. Certificate of Appreciation from Brant-Brantford CrimeStoppers – Received as information.
3. Ontario Association of Police Services Boards Zone 4 Meeting – Tuesday, March 30, 2010, Greens of Renton – Harry Emmott and Mike O'Byrne have expressed an interest in attending.

**NEXT MEETING & ADJOURNMENT**

The Board adjourned at 10:35 a.m. to reconvene on Wednesday, April 21, 2010, 9:00 a.m. at the County of Brant O.P.P. Station.

---

Secretary