

ARKANSAS TOBACCO CONTROL MEETING MINUTES

FEBRUARY 5, 2015

The Arkansas Tobacco Control Board met on Thursday, February 5, 2015 for its monthly meeting in the Main Street Mall building, located at 101 E. Capitol Avenue, Little Rock, Arkansas, beginning at 10:00 a.m. in Suite 119. There were 8 – Board members present. Those attending were Ms. Carol Dyer, Mr. John Hauge, Dr. J.J. Lacey Jr., Chairman Mr. Steve Lightle, Mr. Sam Stathakis Jr., Dr. Brad Mayfield, Mr. Kevin Case and Dr. Shabbir Dharamsey.

Mr. Lightle began the meeting with a “Welcome” to those attending. He then introduced Mr. Greg Kirkpatrick serving as the Hearing Officer, Steve Goode, ATC Director and Ms. Nicole Hartwick, serving as Court Reporter.

Mr. Lightle asked for a motion to approve the board meeting minutes from December 4th, 2014. The minutes were approved with a blanket vote of 7 yes votes, 1 absent vote and no open positions.

The default list dated February 5th, 2015 was read aloud by Greg Sled due to Attorney Roland Darrow’s absence due to illness. Due to difficulty with parking, Dr. Dharamsey was late in joining the meeting. The list was approved with a blanket vote of 8 yes votes and no open positions.

The Hearing Officer then opened the Disciplinary Hearings and asked Deputy Director Sled, to present the following:

CONSENT ORDERS

Case #2014-415 Vincents Fine Wine and Liquor Texarkana, AR

The above consent order was presented to the Board levying a fine of \$750 + a 10 day suspension.

A motion was made to approve the Consent Order as presented with 8 yes votes.

**Case #2014-671 Bonka-Chong Enterprises LLC. Hampton, AR
& 2014-754**

The above consent order was presented to the Board. The charge is STM 4th with a fine of \$250. STM 5th with a revocation of Bonka-Chong's retail cigarette and tobacco permit.

A motion was made to approve the Consent Order as presented with 8 yes votes.

Case #2014-701 Morgan Shell North Little Rock, AR

The above consent order was presented to the Board. The charge is STM 4th, levying a fine of \$1,000 + a 4 day suspension and mandatory merchant training for all employee's within 6 months of the date of the order.

A motion was made to approve the Consent Order as presented with 8 yes votes.

Case #2014-713 McCain Shell North Little Rock, AR

The above consent order was presented to the Board. The charge is STM 2nd, levying a fine of \$250 and mandatory merchant training for all employee's within 6 months of the date of the order.

A motion was made to approve the Consent Order as presented with 8 yes votes.

FULL HEARINGS

NONE

LENIENCY HEARINGS

NONE

Deputy Director Greg Sled then presented to the Board the “Use and Benefit Orders 1 & 2”. He stated that there is evidence that is in need of being destroyed but instead of doing so, Arkansas Tobacco Control would like to keep the evidence to use for educational use and training purposes.

A motion was made to approve the Use and Benefit Orders 1 & 2 with 8 yes votes.

Director Goode addressed the Board to review and approve the “The New Retail Permits” report dated from December 4th, 2014 through February 4th, 2015. The board reviewed and the motion passed with a blanket vote of 8 yes votes.

Director Goode then asked the Board to review and approve the “Accepted Offers of Settlement for Board Approval” report dated January 1st, 2015 and February 5th, 2015. The board reviewed the reports to approve and both motions passed with a blanket vote of 8 yes votes.

Deputy Director Sled gave a brief update on the Enforcement division activities and a brief on the activities in the FDA Division due to Deputy Director Larry Owen’s absence.

Mr. Sled then gave a quick update on the progress being made to crack down on untaxed tobacco. He stated there is a plan in the works for fixing this problem and he will keep the Board informed as they get closer to it being completed.

Director Goode gave an update concerning the bill for E-Cigarettes. He stated they are in the final stages of the process and making good progress.

ADJOURNMENT

In closing, Mr. Lightle announced the next Board Meeting will be March 5th, 2015, and then the meeting was adjourned.

Minutes prepared by



Christi Harper

February 9, 2015