

ARKANSAS TOBACCO CONTROL MEETING MINUTES

SEPTEMBER 5, 2013

The Arkansas Tobacco Control Board met on Thursday, September 5, 2013 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 401. There were 7 – Board members present. Those attending were Mr. Kevin Case, Ms. Carol Dyer, Mr. John Hauge, Dr. J.J. Lacey Jr., Mr. Sam Stathakis, Jr., Dr. Laura Sisterhen and the Chairman, Mr. Lightle. We had 1 member absent – Dr. Tommy Wagner.

Mr. Lightle began the meeting with a “Welcome” to those attending. He then introduced Mr. Greg Kirkpatrick serving as the Hearing Officer, Ms. Lydia Heroman, as Court Reporter and Attorney General, Mark Ohrenberger serving in the absence of Attorney Roland Darrow.

Mr. Lightle asked for a motion to approve the August 1, 2013 board meeting minutes. The minutes were approved with 7 yes votes and 1 member absent.

Mr. Lightle asked if there was any “Old Business” to discuss which there wasn’t so we moved on to “New Business”.

The default list dated September 5, 2013 was read aloud by the director, Mr. J.R. Thomas and was approved with a blanket vote of 7 yes votes and 1 member absent.

The Hearing Officer then opened the Disciplinary Hearings and asked Mr. Ohrenberger, to present the following:

FULL HEARINGS OR BOARD MANDATED

Case #2013-353 Permit #7584-02 Shell Superstop #412 Blytheville

Request of permit to be reinstated after previous revocation

Attorney Jim Harris, owner Mr. Waqar Salim and Coulson Oil Representative Brent Lynch were present to appear before the board in this matter.

After hearing testimony, a motion was made to approve the permit to be reissued with restrictions that in case of any violation the permit would be revoked again immediately. The motion was approved with 5 yes votes, 2 no votes and 1 member absent.

The Disciplinary Hearings were concluded and Mr. Kirkpatrick turned the meeting back over to the Chairman.

Mr. Lightle asked the Director, Mr. J.R. Thomas, to present his reports to the Board.

Mr. Thomas asked the Board to review the "New Retail Permits" report dated from August 1 through September 3, 2013 and approve as submitted. A motion was made to approve with 7 yes votes and 1 member absent.

The Director then asked the Board to review the "Accepted Offers of Settlement for Board Approval" report dated September 5, 2013. A motion was made to approve the "Accepted Offers of Settlement" report with 7 yes votes and 1 member absent.

Mr. Thomas then called on Deputy Director Greg Sled to give his update on enforcement activity. Mr. Sled stated for the month of August we have done 512 compliance checks with 49 violations which gives us a 9.57% violation rate. We were at 10.5% for the month of July. He then presented the board with the SYNAR report which states we are now 12th in the nation with a 5.4% violation rate. Mr. Sled also introduced Mr. David Edington as our new agent for the northeast region of Arkansas.

The Chairman asked for a Court Update. Mr. Mark Obrenberger, Assistant Attorney General, didn't have anything to report.

The next meeting date will be October 3, 2013. All the board members were in agreement to adjourn.

Minutes prepared by

September 6, 2013

Pat Dykes