



## ARKANSAS TOBACCO CONTROL

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Asa Hutchinson  
Governor

Steve Goode  
Director

### BOARD MEETING MINUTES DECEMBER 5, 2019

The Arkansas Tobacco Control Board met on Thursday, December 5, 2019 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 Chairman Kevin Case, Dr. Brad Mayfield, Mrs. Carol Dyer, Mr. Sam Stathakis, Jr., Dr. Patricia Knott, Dr. Shabbir Dharamsey and Mr. Jay Hickey.

Chairman Kevin Case welcomed those attending in the audience. The Hearing Officer and Court Reporter were not present for today's meeting.

#### **BOARD MEETING MINUTES**

Mr. Case asked for a motion to approve the board meeting minutes from October 3, 2019. A motion was made to approve the October minutes and it was passed with 8 yes votes. There was not a board meeting held in November.

#### **WHOLESALE APPLICATION**

Director Goode ask the board members to review and approve a wholesale application for Elite Wholesale out of Siloam Springs, AR.

A motion was made to approve the application. The motion passed with 8 yes votes.

#### **NEW PERMITS ISSUED**

Director Goode asked the Board members to review the list of 99 new permits issued from October 3, 2019 through December 4, 2019. The new permits issued were approved by the board with 8 yes votes.

## **ACCEPTED OFFERS OF SETTLEMENT**

Director Goode then asked the board members to review the list of Accepted Offers of Settlement dated November 7<sup>th</sup> and December 5<sup>th</sup>, 2019 which were approved by the board with 8 yes votes.

## **ENFORCEMENT ACTIVITY**

Deputy Director Greg Sled reported to the board for the enforcement department of the agency that for the FY 2020, 2431 have completed a compliance check with 135 violations which is a 5.55% violation rate. In October we completed 45 Inspections with 22 violations at 12 locations for a 26.67% violation rate and in November we completed 30 Inspections with 22 violations at 13 locations for a 43.33% violation rate. Mandy Miller will be conducting a Merchant Training Class in Fayetteville on December 12<sup>th</sup>. He also reported that she had held 32 Training and trained 1250 Employees since July 1<sup>st</sup>, 2019.

## **FDA ACTIVITY**

Deputy Director Ray Owens reported that in October FDA performed 169 routine inspections with 5 violations and 79 Follow up inspections with 1 violation which gave them a 2.42% violation rate and for the month of November they performed 163 routine inspections with 8 violations and 59 Follow up inspections with 1 violation for a violation rate of 4.05%. He also reported their on-site audit 11/6/19 was successful and FDA is still waiting to hire an Administrative Assistant in the Little Rock office.

## **LEGAL UPDATE**

Attorney Lindsey Burnette reported the 1 appeal case is still pending but in progress.

## **ADJOURNMENT**

In closing, Chairman Case stated that the next Board Meeting will be February 6<sup>th</sup>, 2020. A motion was made and seconded to adjourn. It was approved with 8 yes votes. The meeting was adjourned.

Minutes prepared by

*Pat Dykes*

December 6, 2019

Pat Dykes