



**State of Arkansas  
Department of Finance  
And Administration**

**DFA - ARKANSAS TOBACCO CONTROL**

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**BOARD MEETING MINUTES  
JUNE 3, 2021**

The Arkansas Tobacco Control Board met on Thursday, June 3, 2021 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 7 Board members present virtually via Go-To Meeting. Those attending were Chairman Gary Proffitt Jr., Mrs. Carol Dyer, Mr. Kerry Lott, Dr. Brad Mayfield, Mr. Sam Stathakis, Dr. Patricia Knott and Mr. David Hendrix, Jr. Dr. Shabbir Dharamsey was not able to attend today's meeting.

Chairman Gary Proffitt opened the meeting and welcomed the staff. We did not have attendees in the board room. We did not have a hearing officer or court reporter for this meeting.

Director Chandler introduced our new attorney Will Olson and welcomed him to the agency.

**BOARD MEETING MINUTES**

Chairman Gary Proffitt asked for a motion to approve the board meeting minutes from April 1st, 2021. A motion was made by Ms. Carol Dyer and seconded by Mr. Sam Stathakis to approve the April 1st minutes. It passed with 7 yes votes and 1 absent.

**WHOLESALE APPLICATIONS**

Chairman Gary Proffitt presented 5 new Wholesale Tobacco and Vapor product applications to the board for approval.

1. Crown Distributing, LLC – Dallas, TX
2. Ecto World, LLC – Buffalo, NY
3. Medusa Distribution LLC – Roseland, NJ
4. RRTC, LLC – Hartsville, SC
5. S & Z Wholesale, LLC – Maumelle, AR

A motion was made to accept #1 by Mr. David Hendrix and seconded by Mr. Kerry Lott

A motion was made to accept #2 by Mr. David Hendrix and seconded by Ms. Carol Dyer

A motion was made to accept #3 by Mr. David Hendrix and seconded by Ms. Carol Dyer

A motion was made to accept #4 by Mr. David Hendrix and seconded by Ms. Carol Dyer

A motion was made to accept #5 by Mr. David Hendrix and seconded by Dr. Mayfield

All 5 motions passed with 7 yes votes and 1 absent.

**NEW PERMITS ISSUED**

Director Doralee Chandler asked the Board members to review the list of 78 new permits issued from March 30<sup>th</sup> through May 31st, 2021. A motion was made to accept by Mr. Sam Stathakis and seconded by Dr. Brad Mayfield. The motion passed with 7 yes votes and 1 absent.

## **ACCEPTED OFFERS OF SETTLEMENT**

Director Chandler then asked the board members to review the list of Accepted Offers of Settlement dated May 6 and June 3, 2021. A motion was made to accept by Mr. Sam Stathakis and seconded by Dr. Brad Mayfield. The motion passed with 7 yes votes and 1 absent.

## **ENFORCEMENT ACTIVITY**

Director Sled reported that our enforcement activities are going in full force again since Covid 19 restrictions have been lifted. We are only using minors 18 & 19 years old.

For the month of April our agents performed 108 compliance checks that resulted in 15 violations for a violation rate of 13.89%.

For the month of May our agents performed 543 compliance checks that resulted in 70 violations for a violation rate of 12.89%.

Over-all we have a 13.05% violation rate for compliance checks.

For regular store tobacco inspections for the month of April our agents performed 142 inspections that resulted in 121 violations at 75 locations which is a 52% violation rate. For the month of May there were 112 Inspections with 63 violations at 39 locations which is a 34% violation rate.

Enforcement division also has 3 open positions that we are in the process of filling.

## **FDA ACTIVITY**

Mr. Owens reported from FDA for the month of April that his agents did 55 Inspections with minors and 35 regular store inspections. FDA is still using minors between the age of 17 & 20 since it is mandated by the FDA. He is also in the process of hiring an Administrative Assistant for his office.

## **LEGAL UPDATE**

Attorney Will Olson reported that we have 1 case that has been appealed through the Mississippi County Circuit Court that he will keep everyone updated on as it progresses.

## **OPEN FORUM**

Chairman Gary Proffitt asked if there were any questions or comments from the board. Mr. Proffitt said that he would be on vacation for the July 8<sup>th</sup> meeting. It was suggested that July's meeting be postponed and the next meeting would be held on August 5<sup>th</sup>, 2021 and we would be meeting in person again. A vote was called for, motion was made by Mr. David Hendrix and seconded by Ms. Carol Dyer. Motion passed with 7 yes votes and 1 absent.

## **ADJOURNMENT**

In closing, Chairman Gary Proffitt stated that our next meeting is scheduled for August 5, 2021. A motion was made to approve by Ms. Carol Dyer and seconded by Mr. David Hendrix to adjourn. It was approved with 7 yes votes and 1 absent. The meeting was adjourned.

Minutes prepared by

Pat Dykes

June 3, 2021

Pat Dykes