

TOBACCO CONTROL BOARD MEETING MINUTES

DECEMBER 4, 2008

The Tobacco Control Board met on Thursday, December 4, 2008 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 6 - Board members present – Mr. Kevin Case, Mr. John Hauge, Mr. Gene McKissic, Mr. Steve Lightle, Mr. Danny Tate, and Dr. Tommy Wagner, with 1 – Member absent – Ms. Carol Dyer, who was newly appointed to the Board and will begin at the January 8, 2009 meeting, and 1 – Open Position.

Mr. Steve Lightle is the newly appointed Chairman of the Board by the Governor. He called the meeting to order and welcomed those in attendance. The Chairman introduced Mr. Danny Tate with Forrest City Grocers, who replaces Mr. Ron Rivers, and will be serving in the open Tobacco Products Wholesaler position.

Mr. Lightle then asked for a motion to approve the October 2, 2008 board meeting minutes. A motion was made to that effect and approved with 6 – Yes votes, 1 – Member absent and 1 – Open position. He followed by asking for a motion to approve the November 6, 2008 board meeting minutes. A motion was made and approved with 6 – Yes votes, 1 – Member absent and 1 – Open position.

There was no “Old Business” to conduct so the Chairman moved on to “New Business”. He introduced Ms. Eileen Harrison, serving as Hearing Officer, and Ms. Lydia Williams, as Court Reporter. The meeting was turned over to Ms. Harrison, who continued with the Disciplinary Hearing segment of the meeting. She called on Mr. Roland Darrow, Staff Attorney, who presented the Default List dated December 4, 2008. After a roll call of those listed and no one responding as being present, he asked the Board to find those listed in Default, issue the maximum fines on all Sales to Minors cases with listings for Shell Superstop #80 in Malvern, AR being removed. A motion was made and approved to that effect with 6 – Yes votes, 1 – Member absent and 1 – Open position.

proceed with the advertising for a Public Hearing and the required steps of Arkansas Legislative Research and the Arkansas Legislative Council.

The Chairman called on the Director, Mr. J.R. Thomas, to continue with "New Retail Permits Issued". Mr. Thomas asked the Board to review and approve the report dated October 1, 2008 through December 4, 2008. A motion was made and approved to that effect with 5 – Yes votes, 2 – Members absent, and 1 – Open position.

Next the Director presented a wholesale cigarette and tobacco application for Briggs Tobacco Specialty Co., Inc. in Memphis, TN. After discussion, a motion was made and approved to table the wholesale application for Briggs Tobacco until the January 8, 2009 board meeting with 5 – Yes votes, 2 – Members absent and 1 – Open position.

Mr. Thomas followed by presenting the "Accepted Offers of Settlement for Board Approval" reports dated November 6, 2008 and December 4, 2008. The Board was asked to review the reports and approve. A motion was made and approved to accept the "Offers of Settlement" report dated November 6, 2008 with 6 – Yes votes, 1 – Member absent and 1 – Open position. Another motion was made and approved to accept the "Offers of Settlement" report dated December 4, 2008 with 6 – Yes votes, 1 – Member absent and 1 – Open position.

The Director then called on Mr. Greg Sled, the Enforcement Agent Supervisor, to give an update on enforcement activity and merchant education.

The Chairman then asked if there were any "Court Updates". Neither Mr. Arnie Jochums of the Attorney General's Office nor Mr. Roland Darrow, Staff Attorney, had anything to report.

Mr. Lightle called on the Director to make a presentation to Mr. Mark Carter, who had served on the Board since September 2, 2003. During part of his tenure, he also served as the Chairman.

An announcement was made that the next board meeting would be Thursday, January 8, 2009.

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All business of the Board had been conducted. The meeting was adjourned.

Minutes prepared by

Janis L. Campbell
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January 2, 2009