



STATE OF ARKANSAS
TOWING & RECOVERY BOARD
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Citizen Representative
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Treasurer
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MINUTES MEETING
October 21, 2014

The Arkansas Towing & Recovery Board convened on October 21, 2014, at 9:35 a.m. in the 1st floor conference room of the Attorney General's Office, Tower Building at 323 Center Street, Little Rock, Arkansas. Chairperson Wayne Edwards called the meeting to order with roll call. Chairperson Wayne Edwards, Vice-Chairperson Jerry Vint, Treasurer Walter Fenton, and Members: Avon Phillips Jr, Elgie Sims, Sr., Ronnie Walker, E. L. Jacobs, Heath Tibbs, and Mary Thoma were in attendance. Board Director Cynthia Lauen, Investigator Tracy Watson, Investigator Beth Lowrey, Board Legal Counsel Julie Chavis, and Board Consultant B.G. Hendrix were also, present.

Chairperson Edwards confirmed members had received the Minutes from the September 16, 2014, meeting with a motion by Fenton, 2nd by Phillips, the Board voted 8-0-1 to accept the Minutes as written. (Note: Member Walker came in late)

Treasurer Fenton reported expenditures of \$ 55,382.68 and receipts of \$ 25,577.80 for a checkbook balance as of September 21, 2014 of \$ 220,135.54.
(Note: Copy Treasurer's Reports are filed with these Minutes)

Chairperson Edwards welcomed guest, Steve Rodgers, PTRAA.

Disciplinary Hearing

1. Complaint No. 2014-10-037 Michelle Garner d/b/a Infinity Towing - Continued
2. Complaint No. 2014-01-067 Michelle Garner d/b/a Infinity Towing - Continued
3. Complaint No. 2014-02-084 Darrell Brace d/b/a Deals on Wheels: found in violation of A.C.A 27-50-1203(e)(1)(D) and 27-50-1208 (b)(1), (c)(1) and (2); Fined \$8500 and Suspended for 30 Days.
4. Complaint No. 2014-05-121 W & T Enterprise, LLC d/b/a/ Combs & Burks Wrecker Service. – Found in violation A. C. A. 1101(a)(2)(A),and (B) and 27-50-1203 (e)(1)(D), Board Rule 9 and 11; Fined \$550.

Consent Agreements/Offer of Settlements

1. **Consent Agreement 2014-10-038** Ben Day d/b/a Paradise Motors; Motion by Phillips, 2nd by Vint Board voted 9-0-0 to accept agreement.
2. **Consent Agreement 2014-01-077** Happa Mac Company, Inc., d/b/a Blue Hill Wrecker & Towing; Motion by Jacobs, 2nd by Phillips Board voted 9-0-0 to accept agreement.
3. **Consent Agreement 2014-01-073** NWA Towing & Recovery, Inc. – Continued
4. **Offer of Settlement 2015-08-010** Dave Gamble d/b/a Hog Eye Towing. - Continued
5. **Offer of Settlement 2015-08-008** Doyce H. Reeves d/b/a Auto Tire & Wrecker – Motion by Fenton, 2nd by Vint Board voted 9-0-0 to accept offer of settlement.

On-Going Business

1. **Progress Report:** Director Lauen reported for period September 15, 2014, to October 17, 2014 59 tow safety licenses and a total of 127 tow safety permits were issued; 03 applications in suspense and 01 unprocessed applications and 21 walk-ins. (Note : Copy of Progress Report is filed with Minutes).
2. **Complaints Report:** Investigator Watson reported for period of September 16, 2014 to October 20, 2014: 14 telephone complaints, 09 written complaints, and 07 Notices of Non-renewal were sent. An estimated 30 pending complaint investigations, 19 pending complaint hearings, and 05 complaints closed. 02 Offer of Settlements were sent. The complaints were broken down into itemized categories on the report. (Note: copy of Complaint Report is filed with these minutes)
3. **Appeals:** Attorney Chavis reported Allen Shaver, d/b/a Hometown ATV and More had not filed a reply to appeal, she would request a hearing date.

Old Business

1. **Facebook:** Director Lauen reported no additional work had been done on FB page.
2. **Rules and Regulations:** Lauen reported the rules and regulations had been reviewed by the Legislative Rules and Regulations committee and would be in effect November 10, 2014, under the general rule of promulgation.
3. **Rules and Regulations:** Member Thoma reported potential wording regarding insurance, notification fees, discussed at the meeting of the Rules and Regulations subcommittee.
4. **Budget Review:** Lauen reported budget had not been reviewed, however after a meeting with Representative Perry, budget was set to be released.

New Business

1. **Administrative Specialist I:** Director Lauen reported Kelly Locke has been hired in this position.
2. **Out of State Permits:** Director Lauen advised provided a copy of the opinion requested by Senator Sluggard.

Other Business

1. **Next Meeting:** November 18, 2014.

Meeting adjourned 10:45 a. m.

Signed _____

Wayne Edwards, Chairperson

Jerry Vint, Vice-Chairperson

Attest _____

Cynthia Lauen, Director

Approved _____ (Date)