



State of Arkansas Towing & Recovery Board

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MINUTES

Arkansas Towing & Recovery Board • September 20th 2016

The Arkansas Towing & Recovery Board convened on Tuesday, September 20th 2016 at 9:30 A.M. in the conference room of the Arkansas Towing & Recovery Board office at 7418 North Hills Boulevard, North Little Rock, Arkansas.

Acting Chair Tom Brown called the meeting to order with roll call; Wayne Edwards, Matt Ross, Avon Phillips, Reggie Binns, Carrie Meeks, Heath Tibbs and Joe Spadoni were present. Also in attendance were director Steven Rogers, investigators Tracy Watson and John Williams and legal counsel Julie Chavis.

Mr. Brown welcomed guests.

Disciplinary Hearings

Case Number. 2016-06-085 Loyd Cato d/b/a Cato's Transmission & Automotive Repair, LLC

Found in violation of A.C.A. § 27-50-1101 (a) (1) (A) and § 27-50-1101 (a) (1) (C) and Board Rule 6; A.C.A. § 27-50-1101 (a) (2) (A) and Board Rule 6; A.C.A. § 27-50-1101 (a) (2) (B) and Board Rule 6; A.C.A. § 27-50-1208 (c) (1) and (2) and Board Rule 6 and A.C.A. § 27-50-1203 (e) (1) (D) and Board Rules 4.1 and 4.5. Loyd Cato, d/b/a Cato's Transmission & Automotive Repair, LLC was ordered to release the 2005 Chevy Impala to the Complainant, James Farnam, the lienholder immediately and pay civil penalties totaling \$600.00.

Case Number. 2017-07-003 Jim Ostie d/b/a Southside Towing, LLC

Found in violation of A.C.A. § 27-50-1101 (a) (1) (C) and Board Rule 6; A.C.A. § 27-50-1101 (a) (2) (A) and Board Rule 6; A.C.A. § 27-50-1101 (a) (2) (B) and Board Rule 6 and A.C.A. § 27-50-1203 (e) (1) (D) and Board Rules 4.1 and 4.5. Jim Ostie d/b/a Southside Towing, LLC was ordered to reimburse the Complainant \$283.40 and pay civil penalties totaling \$1,000.00.

The Minutes for the Board Meetings from August 16th 2016 and September 6th 2016 were approved as mailed on a motion by Phillips. Second by Tibbs. Motion carried. 8-0

Treasurer Spadoni reported expenditures for the month of July, \$21,450.59 and revenue for the month as \$25,337.40. The ending balance in the treasury account is \$352,666.05 Binns made a motion to approve the Treasurer's Report as presented. Second by Edwards. Motion carried. 8-0

Consent Agreements / Offers of Settlements

Complaint Number. 2017-08-011 and 2017-08-014 Yancey Price d/b/a Twin County Towing

Following a brief discussion the Board declined to accept a Consent Agreement asking Mr. Yancey to appear that the October Board meeting. Motion was made by Spadoni. Second by Binns. Motion carried 8-0.

Director Rogers reviewed the License & Permit Report for August. [Attached]

Tracy Watson presented the Complaints Report for August. [Attached]

Julie Chavis updated the Board briefly on the status of appeals noting dates and times of upcoming hearings.

In his Director's Report Rogers updated the Board on state agency training, the upcoming Law Enforcement Summit, vehicle signage, meeting with the attorney general's staff (Julie Chavis and Meredith Rebsamen) and the budget hearings. Rogers also corrected when and under what circumstances the Board could go into Executive Session and for what reason.

Rogers presented an IT Plan that would upgrade the current database , swapping the program from Filemaker to Microsoft Access and the advantages to do so. He also noted the needed changes for the website would be included. He asked the Board to approve an expenditure of up to \$25,000.00 to implement the proposal offered by Lance McGonigal, McGonigal Consulting LLC as soon as the monies could be seat aside. A motion to approve the expenditure was made by Spadoni. Second by Phillips. Motion carried 8-0.

Joe Spadoni reviewed the Legislative & Regulatory Report identifying several items the committee agreed on including addressing the need to expand the vehicle inspection process through rule making; clarify owner preference and focus on drafting language aimed at stopping out-of-state towers from engaging in intrastate commerce. Brown made a motion to approve the proposed language offered by staff that had already been submitted to the Governor's office and to ask legal counsel to consider language to prevent or modify licensing of persons convicted of recent criminal activity and moral turpitude. Second by Spadoni. Motion carried 8-0.

After a brief discussion the Board expressed its desire not to meet in December.

The next meeting was scheduled for Tuesday, October 18th 2016, to be held at the Arkansas Towing & Recovery Board office in North Little Rock, Arkansas.

With no further business the meeting adjourned at 12:40 P.M.

Signed _____
Tom Brown Acting Chair

Attest _____
Steven Rogers, Director

Approved _____ (Date)