



State of Arkansas Towing & Recovery Board

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MINUTES

Arkansas Towing & Recovery Board • September 19th 2017

The Arkansas Towing & Recovery Board convened on Tuesday, September 19th 2017 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.

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

Mr. Vint welcomed guests.

The Minutes for the Board Meeting from August 15th 2017 were approved as mailed on a motion by ross. Second by Phillips. Motion carried. 8-0

Treasurer Spadoni reported expenditures for August, \$24,620.38 and revenue for the month as \$36,931.28. The ending balance in the treasury account is \$365,240.85. Ross made a motion to approve the Treasurer's Report as presented. Second by Meeks. Motion carried.8-0

Tracy Watson reviewed the complaint report for August (Attached).

Steven Rogers reviewed the Permit & License Report for August (Attached)

Rogers went over his Director's Report, updating the board on the upcoming legislative committee meeting, the reduced hearing schedule for 2018 and the recent criminal hearing for Ervin Kindle held in Pulaski County.

Chair Vint turned the meeting over to the hearing officer to proceed with the disciplinary hearings.

Disciplinary Hearing

2018-07-006 Nicholas Massey d/b/a Towstorm LLC; Respondent violated ACA § 27-50-1101(a)(1)(C) by failing to obtain proper written authorization from the property owner or agent prior to removing a vehicle from private property.; and ACA § 27-50-1101(a)(1)(H) by paying compensation through employment to Respondent's employee, Danny Thompson, who signed the private property removal form as the requesting agent.; and ACA § 27-50-1203(e)(1)(D) by overcharging for all services related to this unauthorized service. Respondent is ordered to pay a civil penalty of \$1,000.00 and Respondent's non-consent towing license is hereby immediately revoked; and pursuant to Ark. Code Ann. § 27-260-1218(d), Respondent is ordered to fully reimburse Percy Moore the full \$350.00 he paid for the unauthorized service.

2018-07-004 Nicholas Massey d/b/a Towstorm LLC; Respondent violated ACA § 27-50-1101(a)(1)(C) by failing to obtain proper written authorization from the property owner or agent prior to removing a vehicle from private property.; and ACA § 27-50-1101(a)(1)(H) by paying compensation through employment to Respondent's employee, Danny Thompson, who signed the private property removal form as the requesting

agent.; and ACA § 27-50-1203(e)(1)(D) by overcharging for all services related to this unauthorized service. Respondent is ordered to pay a civil penalty of \$1,000.00 and Respondent's non-consent towing license is hereby immediately revoked; and pursuant to Ark. Code Ann. § 27-260-1218(d), Respondent is ordered to fully reimburse Eric Scroggins the full \$290.00 he paid for the unauthorized service.

2018-07-003 Nicholas Massey d/b/a Towstorm LLC; Respondent violated ACA § 27-50-1101(a)(1)(C) by failing to obtain proper written authorization from the property owner or agent prior to removing a vehicle from private property.; and ACA § 27-50-1101(a)(1)(H) by paying compensation through employment to Respondent's employee, Danny Thompson, who signed the private property removal form as the requesting agent.; and ACA § 27-50-1203(e)(1)(D) by overcharging for all services related to this unauthorized service. Respondent is ordered to pay a civil penalty of \$1,000.00 and Respondent's non-consent towing license is hereby immediately revoked; and pursuant to Ark. Code Ann. § 27-260-1218(d), Respondent is ordered to fully reimburse Carrie McMickle the full \$290.00 she paid for the unauthorized service.

The Board Meeting Reconvened.

Rogers asked the board to approve a new Application for a Business License. A motion was made by Edwards. Seconded by Brown. Motion carried 8-0.

Karen Wallace, indicated two appeals were still pending, Michael Grindstaff and Ervin Kindle. Wallace also discussed in detail proper conduct for board members during a disciplinary hearing referencing a handout in the board packet.

The next meeting was scheduled for Tuesday, November 15th 2017 at the Arkansas Towing & Recovery Board office in North Little Rock, Arkansas.

With no further business the meeting adjourned at 12:10 pm.

Signed _____
Jerry Vint, Chair

Attest _____
Steven Rogers, Director

Approved _____ (Date)