



Arkansas Towing and Recovery Board
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Sarah Huckabee Sanders
Governor
Daryl Bassett
Secretary
Paul Burnett
Director

MINUTES

Arkansas Towing & Recovery Board • October 9th, 2024

The Arkansas Towing & Recovery Board convened on Wednesday, October 9th, at 9:30 a.m. The meeting was held at the Arkansas Department of Labor and Licensing at 900 West Capitol Avenue, Suite 400, Little Rock, Arkansas, 72201.

Chair Joe Spadoni called the meeting to order at 9:32 a.m. Chief Investigator Rowe conducted the roll call; Joe Spadoni, Wayne Edwards, Scott DeMott, Tom Brown, and Charles Bokker were present. Director Paul Burnett, Chief Investigator Joseph Rowe, and Deputy Attorney General Doralee Chandler also attended.

Minutes Approval:

The Board was given the July 30th, 2024, minutes to be considered for approval. The minutes were approved on a motion by Bokker. Second by Vint. Motion carried 5-0

Consent Agreements:

2023-0901: A-1 Recovery of NLR (Terry Wyatt & Gerald Kennon) Butnaru Complaint. Consent Agreement was presented by Deputy Attorney General Doralee Chandler to the board for approval. Motion by Brown to accept the Consent Agreement. Second by Spadoni. Motion carried 4-0. DeMott had to recuse himself because he represents A-1 of NLR

2023-1008: J&A Towing & Recovery, LLC (John Mitchell III & Ashera Mitchell) El Dorado Police Department complaint. Consent Agreement was presented by Deputy Attorney General Doralee Chandler to the board for approval. Motion by Brown to accept the Consent Agreement. Second by Edwards. Motion carried 5-0.

2024-0208: SNT Towing (Shelby Arrington) Auto Credit Xpress Complaint. Consent Agreement was presented by Deputy Attorney General Doralee Chandler to the board for approval. Motion by Brown to accept the Consent Agreement. Second by DeMott. Motion carried 5-0.

2024-0402: Thompson Mobile Fleet Service, LLC (Robert Thompson) Faulkenberry Complaint. Consent Agreement was presented by Deputy Attorney General Doralee Chandler to the board for approval. Motion by DeMott to accept the Consent Agreement. Second by Bokker. Motion carried 5-0.

2024-0502: Arndt's Service Center (Crystal Arndt) Munoz Complaint. Consent Agreement was presented by Deputy Attorney General Doralee Chandler to the board for approval. Motion by DeMott to accept the Consent Agreement. Second by Bokker. Motion carried 5-0.

Offer of Settlement:

2024-0210: Combs & Burks Wrecker Service (Wayne Touchton) Dyer Complaint. Offer of Settlement presented by Chief Investigator Joseph Rowe to the board for approval. Motion by DeMott to accept the Offer of Settlement. Second by Brown. Motion carried 5-0.

Disciplinary Hearing: Joe Spadoni, Chairman, Natalie Gray, Arkansas Diamond Court Reporting.

2024-0111: Phillips Brother Towing LLC, (Yancy Price). **Ruling:** \$ 1,850.00 Civil Penalty and restitution to the complainant, Loyd of \$8,500.00. The Civil Penalty and Restitution shall be paid after receipt of the final order.

Allegations of Facts: A 1-15,19,20,21,22,23 found as True. A 16,17,18 and 24 were found as False **Charges:** C 3-8 are Proven C-1, C2 are not Proven. C-1 No Fine, C-2 No Fine, C-3 \$250.00, C-4 \$500.00 C-5 \$500.00 C-6 \$250.00, C-7 \$250.00, C-8 \$100.00. Motion by Brown Second by Bokker. Motion carried 5-0.

2024-0504: J&A Towing and Recovery LLC, (John Mitchell III & Ashera Mitchell). **Ruling:** \$250.00 Civil Penalty. The Civil Penalty shall be paid after receipt of the final order. **Allegations of Facts:** A 1-9 all found as True. **Charges:** C 1 is proven True. C-1 \$250.00. Motion by DeMott, Second by Brown. Motion carried 5-0.

2024-0504: J Hook Towing & Recovery, LLC, (Towco Investments LLC Charles Tankersley). **Ruling:** \$100.00 Civil Penalty. The Civil Penalty shall be paid after receipt of the final order. **Allegations of Facts:** A 1-10 all found as True. **Charges:** C 1 is proven True. C-1 \$100.00. Motion by Bokker, Second by Edwards. Motion carried 3-2. Edwards, Spadoni, and Bokker voted Yes for the \$100.00 Civil Penalty. Brown and DeMott voted No for the \$100.00 Civil Penalty.

Business:

Director's Report: Director Burnett addressed the Board with several items. Director Burnett advised the Board that since January 1st, 2024, 91 formal complaints have been filed as of 10/9/2024. 47 formal complaints are active as of 10/9/2024. 44 formal complaints have been closed or adjudicated as of 10/9/2024. Director Burnett also updated the board while he was talking about complaints, he received approval from Secretary Bassett to hire the contract labor investigator he requested to help with the backlog of complaints due to Sheila Johnson leaving. The board asked if Director Burnett had anyone in mind. Director Burnett advised the board he had already talked with two officers who work 12-hour shifts opposite each other. Director Burnett by having two contract investigators will put an extra investigator in the office three to four days a week.

Director Burnett advised the board that there are 718 total licensees as of 10/9/2024. ATRB currently has 649 active licensees out of the 718 licensees. ATRB currently has 1,868 permitted trucks as of 10/9/2024. Director Burnett advised the board that as of 10/9/2024 there have been \$6,450.00 in civil penalties for this fiscal year.

Financial Report: Chief Investigator Joseph Rowe presented the financial report with a fund balance of \$175,394.83 as of 10/9/2024.

Legal Update: Deputy Attorney General Doralee Chandler gave the board an update on the two cases that are being appealed by the tow companies from previous hearings.

New Business:

Chairman Spadoni brought up working during the legislative session to get the complaint process placed on invoices as well as the sign required now. Spadoni brought up working with Shannon Newton from the trucking industry and the Foundation all working to help the process for trucking companies know how to file a complaint if they feel the charges were excessive.

Other Business:

Next meetings:

November 4, 2024, and December 10, 2024, at 900 West Capitol Avenue, Little Rock, Arkansas.

With no other business, the meeting was concluded. Motion by Bokker to adjourn, Second by DeMott Approved 5-0.

The meeting adjourned at 2:29 p.m.

Attest:


Paul Burnett, Director

Signed:


Joe Spadoni, Chair

Date Approved:

