

LOUISIANA USED MOTOR VEHICLE COMMISSION
STATE OF LOUISIANA

REGULAR MEETING
OCTOBER 18, 2010
BEGINNING AT 9:30 A.M.

3132 VALLEY CREEK
BATON ROUGE, LOUISIANA

REPORTED BY:
BETTY D. GLISSMAN, CCR

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1 APPEARANCES:

2
3 CHAIRMAN:

4 MR. GLEN ROBINSON
5

6 VICE CHAIRMAN:

7 MR. JOHN POTEET
8

9 COMMISSIONERS PRESENT:

10 MR. GEORGE BREWER

11 MR. RHETT BOURGEOIS

12 MR. TONY CORMIER

13 MR. RON DUPLESSIS

14 MR. GEORGE FLOYD

15 MR. KIRBY ROY

16 MR. HENRY "DARTY" SMITH

17 MR. DOUGLAS TURNER
18

19 REPRESENTING THE LOUISIANA USED MOTOR
20 VEHICLE COMMISSION:

21 ROBERT W. HALLACK, ESQUIRE

HALLACK LAW OFFICE

13007 JUSTICE AVENUE

22 BATON ROUGE, LOUISIANA 70816

23 SHERI MORRIS, ESQUIRE

ROEDEL, PARSONS, KOCH, BLACHE,

24 BALHOFF & McCOLLISTER

8440 JEFFERSON HIGHWAY, SUITE 301

25 BATON ROUGE, LOUISIANA 70809

1 ALSO PRESENT:

2
3 MS. KIM BARON

4 MR. DEREK PARNELL

5 MR. JESSE McCORMICK

6 MR. GLENN SMITH

7 MR. MONTIE WISENOR

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1 MR. ROBINSON:

2 Good morning. Welcome to
3 today's meeting. We'll start with the
4 Pledge of Allegiance.

5 (PLEDGE OF ALLEGIANCE)

6 MR. ROBINSON:

7 Roll call, Ms. Kim, if you
8 would.

9 MS. BARON:

10 Glen Robinson?

11 MR. ROBINSON:

12 Present.

13 MS. BARON:

14 George Brewer?

15 MR. BREWER:

16 Here.

17 MS. BARON:

18 Louis Bourgeois?

19 MR. BOURGEOIS:

20 Here.

21 MS. BARON:

22 Tony Cormier?

23 MR. CORMIER:

24 Here.

25

1 MS. BARON:
2 Ron Duplessis?

3 MR. DUPLESSIS:
4 Here.

5 MS. BARON:
6 George Floyd?

7 MR. FLOYD:
8 Here.

9 MS. BARON:
10 John Poteet?

11 MR. POTEET:
12 Here.

13 MS. BARON:
14 Kirby Roy?

15 MR. ROY:
16 Here.

17 MS. BARON:
18 Darty Smith?

19 MR. SMITH:
20 Here.

21 MS. BARON:
22 And Douglas Turner?

23 MR. TURNER:
24 Here.

25

1 MS. BARON:

2 We have a quorum.

3 MR. ROBINSON:

4 That's 100 percent.

5 MS. BARON:

6 That's 100 percent.

7 MR. ROBINSON:

8 We have one guest.

9 MR. McCORMICK:

10 Good morning. I'm Jesse
11 McCormick and I'm just here to kind of
12 listen and watch. We represent LKQ. We
13 have nothing on the agenda. I'm just here.

14 MR. ROBINSON:

15 Nothing for public comments?

16 MR. McCORMICK:

17 No.

18 MR. ROBINSON:

19 No one for public comments,

20 Ms. Kim?

21 MS. BARON:

22 No, sir.

23 MR. ROBINSON:

24 Then, we will move on with

25 the agenda, items for discussion. Y'all

1 should have received the minutes from last
2 month.

3 MR. BOURGEOIS:

4 I make a motion to approve
5 the minutes.

6 MR. POTEET:

7 Second.

8 MR. ROBINSON:

9 All in favor?

10 (All "Aye" responses.)

11 MR. ROBINSON:

12 Anyone opposed?

13 (No response.)

14 MR. ROBINSON:

15 The motion carries.

16 Financial matters, review of
17 the financial report for September.
18 Director Parnell is going to do that.

19 MR. PARNELL:

20 Good morning, Commissioners.

21 In your packet, you have the financial
22 statement for the month ending September 30,
23 2010. If you will turn with me to Page 1,
24 you will notice -- looking at our
25 year-to-date balance, fiscal year starting

1 July 1, 2010 where it's \$146,294.12.

2 If you will move to Page 3,
3 you will see our expenditure balance for
4 year to date is \$242,852.42. On Page 4, it
5 is a monthly comparison comparing September,
6 2010 to September 2009. If you notice that
7 in September, 2009, this month generated
8 \$68,756.75. This year during that month
9 just in -- and this is specifically talking
10 about licensing fees, we are looking at
11 \$103,900.50. What makes the total revenues
12 \$102,859.93 versus September, 2009, \$69,000,
13 which gave us a 32 percent increase over the
14 year prior.

15 If you will look with me on
16 Page 5 and on Page 6, Page 6 gives me the
17 final total expense amount. This year, our
18 total expenses were actually down by
19 approximately 72 percent. Total expenses
20 for the month was \$72,257.68 versus
21 September of last year, which was
22 \$127,758.02.

23 Moving forward on Page 7,
24 which is the comparison of July -- the last
25 three months, July, August and September of

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1 2010, August our total revenues were
2 \$27,312.88. In September, we went up again
3 to \$101,830.93.

4 Page 9, it's the same three
5 month comparison, but on the revenue side,
6 our total -- I'm sorry, on the expenditure
7 side, total expenditures for the month of
8 September, as I stated earlier, was
9 \$72,267.58. In August of 2010, it was
10 \$86,603.03. The balance sheet is on Page 9.
11 This is just basically a balance of all of
12 the accounts, detailed accounts that we have
13 out there, our total assets.

14 On Page 11 is a balance sheet
15 as well. It talks about the total assets
16 that we have out there, a total of what's
17 out there.

18 Page 12 is a revenue
19 expenditure comparison. If you notice
20 September 2010, it kind of breaks out
21 everything for the last fiscal year and
22 moving into this year, kind of -- it's kind
23 of a snapshot to look at it in brief to kind
24 of see where we are and where we stand in
25 relation to revenues and expenditures.

1 Page 13 is the certificate of
2 deposit summary. If you will notice that
3 the last two on that account, Landmark Bank
4 of Zachary, both of those, one is maturing
5 on October 28 of 2010 and the other is
6 maturing on November 1st of 2010. I kind of
7 did a little poll around with a lot of other
8 banks. They kind of range anywhere from 1.1
9 to 1.3 percent right now. So the interest
10 rate has dropped. So they are not yielding
11 very high. It's not paying very high yield
12 right now on those CDs. But what I am going
13 to do, as I did last time, I'm going to kind
14 of look around a little bit more to find out
15 exactly what other options that we have as
16 it relates to the CDs.

17 Page 14, kind of illustrates
18 the account receivable hearing. If you
19 recall, in the last meeting, there were four
20 items on there that the Board wanted to be
21 off, because they basically weren't anything
22 that was collectible. As Attorney Hallack
23 stated then, it was kind of fictitiously put
24 out there, but now that we have reduced that
25 number, then what we have now -- right now

1 in accounts receivable hearing is \$1,900.
2 That kind of concludes the financials.

3 Does anyone have any
4 questions or comments concerning --
5 hopefully, I'm able to answer those things.
6 I want to point out, you know, I have been
7 kind of working pretty close with our CPA
8 that we have on contract as well as our
9 Legislative Auditor to help get through the
10 process.

11 MR. ROBINSON:

12 Does anyone have any
13 questions, comments on the financials?

14 MR. BOURGEOIS:

15 Is there any reason for the
16 increase in this month that I saw in the
17 auction fees?

18 MR. PARNELL:

19 Yes. Auction fees increased,
20 but the total used license -- the used
21 dealer licenses also increased by like -- I
22 think it was like \$40,000. That was mainly
23 because we kind of started immediately. I
24 know last year around this time, it kind of
25 waited a little while before they actually

1 start processing.

2 MR. BOURGEOIS:

3 That cures the fees for the
4 dues.

5 MR. PARNELL:

6 Yes, yes. So immediately
7 this year -- and that's why there was such a
8 bump for this month, which is not typical
9 for the way it's been done, but typically
10 they kind of wait a little bit, but this
11 year as soon as we started getting renewals
12 in, they started processing them
13 immediately, because we can't get behind.
14 We've got to try to stay on top of it, so we
15 can try to make it throughout.

16 MR. BOURGEOIS:

17 We have a balance here.

18 MR. ROBINSON:

19 It's not going to be
20 additional income. We will see -- it will
21 be lower the next couple of months. So it's
22 not going to be a bump. We don't anticipate
23 a bump, let's say.

24 MR. POTEET:

25 Has the online process been

1 working pretty well?

2 MR. PARNELL:

3 Well, it's been working
4 pretty well now. Again, there are still
5 some things that we need to get some
6 corrections on out there, but I know the
7 last month of online renewals, we did
8 probably about 35,000 just that month. But,
9 of course, that was monies that were owed,
10 monies that we are still trying to collect
11 as well as the newer license renewals that
12 we are moving towards for 2011. So it's
13 getting better. We still have some issues
14 out there that we've still got to look at
15 really close.

16 I've been working really
17 close with the CAVU Corporation as it
18 relates to -- they had a product that was
19 out there that no one really used here in
20 the past that kind of helps out with the
21 balancing progress -- the process, I'm
22 sorry, as far as looking at what comes in
23 daily versus what is out there. So that is
24 something that would definitely help moving
25 forward. But, you know, the Division of

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1 Administration, they have something going on
2 right now where all of the agencies that are
3 with the CAVU Corporation are moving to a
4 new online processing company, which is
5 called Pay Point. We have not -- we are
6 scheduled to try to move into that within
7 the next 30 days. They have like three or
8 four of those agencies that have already
9 moved into it. They like it a lot. It's
10 very helpful for them. It's much more user
11 friendly, but that's going to help with the
12 payment side and balancing out the online
13 account.

14 MR. POTEET:

15 Thank you.

16 MR. ROBINSON:

17 Do you have any update on the
18 \$21,000 we have been trying to collect?

19 MR. PARNELL:

20 The \$21,000, it's still kind
21 of -- it's a little stagnant right now, to
22 be honest with you. I haven't really
23 collected much more than we were last --
24 during the last meeting, which was about 50
25 percent of it. What I want to do this month

1 starting this week is I'm going to get
2 together a list to get out to all of our
3 investigators, so they can actually start
4 going out and putting a face in front of the
5 dealers and letting them know, hey, this
6 needs to be paid prior to you moving forward
7 with your 2011 license.

8 MR. BOURGEOIS:

9 That will get some attention.

10 MR. PARNELL:

11 We sent out letters
12 initially, but -- I mean, we got a response,
13 but it wasn't, you know, as good as I would
14 have thought it would have been. But the
15 next step is -- it's going to be like a
16 stepping process to go ahead and try to get
17 them to actually start paying that money,
18 you know, before we get into their renewal
19 packets.

20 MR. ROBINSON:

21 Do we have those dealers
22 flagged in the CAVU system?

23 MR. PARNELL:

24 We have them -- not all of
25 them, to be honest with you, no.

1 MR. ROBINSON:

2 That's the first thing we
3 need to do --

4 MR. PARNELL:

5 That's the first thing we
6 need to do.

7 MR. ROBINSON:

8 -- so we don't accidentally
9 issue a 2011 license when we haven't
10 collected for 2010. So y'all need to in the
11 immediate future get everybody flagged that
12 we are having -- again, you know, it wasn't
13 something caused by the dealers and we just
14 need to, you know, realize it's our problem,
15 but at the same time, I mean, we've got to
16 get the funds. But let's get them flagged,
17 so we don't accidentally issue a license to
18 somebody.

19 MR. TURNER:

20 Have we contacted the
21 dealers?

22 MR. PARNELL:

23 I haven't gotten to all of
24 them, no, to be honest with you. It was 212
25 transactions. We probably got about 50

1 percent of them contacted, and then they are
2 working with us. Some of them -- you know,
3 initially when we talked about it, we went
4 through the payment company and they
5 actually were able to process a lot of those
6 credit cards for us that were sitting out
7 there, but some of those credit cards were
8 expired. So when it came back, it came back
9 as charge back to us. So that's where we
10 are. I've got to make sure we put forth a
11 strong push at contacting each one of them,
12 getting a field investigator out there to
13 speak with them all, so we can actually get
14 these funds in.

15 MR. ROBINSON:

16 That's a little bit off the
17 financial, but yet it is a financial item.

18 Any other questions as far as
19 the September financial statement?

20 (No response.)

21 MR. ROBINSON:

22 Does anyone want to make a
23 motion?

24 MR. ROY:

25 I so move.

1 MR. SMITH:

2 I second.

3 MR. ROBINSON:

4 To approve the September,
5 2010 financial statement, motion and a
6 second.

7 All in favor?

8 (All "Aye" responses.)

9 MR. ROBINSON:

10 Anyone opposed?

11 (No response.)

12 MR. ROBINSON:

13 The motion carries.

14 C under policy and procedure,
15 Director Parnell.

16 MR. PARNELL:

17 In your packet, you will find
18 a resolution for defining false
19 advertisement. What brought this on, we
20 were getting a lot of complaints from
21 various people just talking about some of
22 the bad -- the false advertising,
23 unsubstantiated advertising that's going on
24 with a lot of dealers out there right now
25 and one thing that want to try to do is, we

1 are going to be a little bit more proactive
2 with the way we are enforcing and
3 investigating our dealers. And what I did
4 was, I spoke with Attorney Hallack to see if
5 he could put together -- something that can
6 clearly define what false advertising is as
7 it relates to our Statute 32:792(B)(1)(d).
8 So if you will, this is something that can
9 better assist the dealers in terms of what
10 false misleading or substantiating
11 advertising is.

12 MR. ROBINSON:

13 Is this the current policy?

14 MR. PARNELL:

15 It is. It's bounced off the
16 current law, but there was no policy in
17 place. So this is what I was proposing to
18 actually put a policy in place.

19 MR. ROBINSON:

20 Okay. Since it's a policy
21 issued as we have been doing, we'll
22 introduce it today. We'll vote on it next
23 month. We would ask the Commissioners to,
24 you know, read it, offer suggestions, offer
25 changes to Derek prior to -- you know, over

1 the next couple of weeks. Here again is
2 where -- you know, I want to get to where we
3 have every licensed dealer's E-mail, because
4 this is the kind of thing exactly. We ought
5 to be able to shoot it all out and let all
6 of the dealers see it, let everybody have a
7 chance to have input. You know, that's why
8 I want to get where it's mandatory that you
9 have to have an e-mail account. This should
10 be in the hands of the licensed dealers.

11 MR. PARNELL:

12 Right now -- what we are
13 doing right now is when applications are
14 coming in, I have instructed Kim it's very
15 important to make sure that we have all of
16 the dealers with a current E-mail address
17 prior to them processing, prior to them
18 sending it out -- sending the actual license
19 out, they give them that information.
20 Currently -- prior to that, I would say
21 almost three months ago, probably had maybe
22 -- I would say 50 or so e-mails out of all
23 of our licensees. So now that number is
24 growing, but it will take a little bit of
25 time to get it out there. So we are working

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1 really hard at doing that. That's why this
2 year on the cover sheet -- I don't know if
3 everyone noticed that, it was one of the
4 items on there that we really required to
5 have a current E-mail address on it.

6 MR. ROBINSON:

7 I know I've asked this
8 before, and I don't remember the answer, so
9 I'm going to ask again. Does our system --
10 can we -- do we have a way to compile them?

11 MR. PARNELL:

12 We do not. Yes. With our
13 last check point, that was something I was
14 going to discuss.

15 MR. ROBINSON:

16 I didn't even have to ask the
17 question, see.

18 MR. PARNELL:

19 We do now. With our last
20 check point meeting with CAVU that we had --
21 it was actually last week or so. We went
22 in. We provided them a list of the issues
23 that we had out there and one of them was
24 E-mail addresses, actually compiling a
25 report for us that we can actually put all

1 in one document, so that we can move on.
2 What we did was, we actually -- while we
3 were on the phone speaking about it, he went
4 ahead and right there he created that report
5 for us. So now we can do that. But now it
6 only pulls from the system what E-mail
7 addresses there are out there. Granted,
8 it's not 100 percent, but it is still a
9 larger number than it was in the past.

10 MR. ROBINSON:

11 Any idea how many, 100, 50,
12 400?

13 MR. PARNELL:

14 Probably -- maybe at 30
15 percent.

16 MR. ROBINSON:

17 Let's go ahead and send this
18 out to who we've got. Dealers talk, you
19 know, let's go ahead and send this out.

20 MR. PARNELL:

21 After the next meeting once
22 it's approved --

23 MR. ROBINSON:

24 No, let them look at it.
25 Well, let me refresh that. Let's see what

1 the Commissioners think. I mean, I suggest
2 we send it out to those that we have and let
3 them have a chance to review it.

4 What do the rest of you
5 think?

6 MR. POTEET:

7 I think this is -- kind of
8 let them review it before we vote on it.

9 MR. BREWER:

10 Good.

11 MS. BARON:

12 Get their input if there is
13 any.

14 MR. ROBINSON:

15 We can only do what we are
16 capable of doing. We don't have the budget
17 to mail out every time we are looking at
18 some kind of policy.

19 MR. PARNELL:

20 Do you want to see this on
21 the website as well somewhere, maybe with --

22 MR. ROBINSON:

23 Sure.

24 So, again, if you would
25 review it and over the next two weeks, if

1 you could express concerns or changes,
2 comments, get with myself or Director
3 Parnell and we will do something on it at
4 the November meeting.

5 MR. TURNER:

6 I would suggest that the
7 other dealers that are on the Board E-mail
8 it to the dealers that they know in their
9 areas, you know, if they are friends or
10 whatever.

11 MR. DUPLESSIS:

12 Get it to Butch and he can
13 send it out to his group. He can definitely
14 do that.

15 MR. ROBINSON:

16 All right. That takes care
17 of number C.

18 Number D.

19 MR. POTEET:

20 Mr. Chairman, I would like to
21 make a motion that we change the agenda and
22 we move this to the point after the
23 Executive Director's report.

24 MR. ROBINSON:

25 So #4.

1 MR. BOURGEOIS:

2 I second that.

3 MR. ROBINSON:

4 Item 5, #4.

5 We've got a motion and a
6 second to move the Executive Director's
7 evaluation down to Item 5, #4.

8 All in favor?

9 (All "Aye" responses.)

10 MR. ROBINSON:

11 Anyone opposed?

12 (No response.)

13 MR. ROBINSON:

14 The motion passes. So we
15 will move on to Item E, 2011 legislative
16 meeting and issues and that would be Mr.
17 Ron.

18 MR. DUPLESSIS:

19 Well, we secured the room for
20 one o'clock on November 15 over at the
21 archives building. And I think one of the
22 things that we need to do, and I'm probably
23 going to ask for a motion or at least an
24 action, to within that E-mail that you send
25 out, to let people know about this. In the

1 last two years, you know, we've come forward
2 and we haven't had a lot of attendance, but
3 the people that were there were quite vocal
4 and they had their points and it helped us a
5 little bit, but nevertheless, you know, I
6 think we have an open door policy and that's
7 the general administration to do the right
8 thing. And we want to hear from everybody,
9 not just from a special interest group or I
10 like this group or I like that group. We
11 are not here to control business. We are
12 here to make sure that it functions properly
13 for the consumers of the state and that's
14 our job and we collect revenue.

15 So with that being said, I
16 will be putting together an agenda. Please
17 E-mail Derek or Glen or myself with any of
18 your concerns, anything that you want to
19 see. We have some loose ends from the last
20 session, which I think worked out well. We
21 didn't get everything we wanted for increase
22 -- our fee increase, but I don't think
23 that's going to be on the table again this
24 year. I don't think anybody is going to
25 have the stomach for it. So, you know, we

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1 had to kind of barter and trade that one off
2 early in the session.

3 MR. BOURGEOIS:

4 Do you want to put it on
5 there, so we can trade it off, again?

6 MR. DUPLESSIS:

7 That really and truly is not
8 a bad idea, but I'm not sure -- I'm going to
9 rely on Sheri for that and Derek and Glen,
10 but --

11 MR. ROBINSON:

12 I said last month I have no
13 stomach to try to do any kind of
14 legislation, especially in an election year.

15 MR. DUPLESSIS:

16 I just think it's going to be
17 a tough go, but if y'all want to throw it
18 out there and bargain it off.

19 MR. BOURGEOIS:

20 Let's wait until 2012.

21 MR. ROBINSON:

22 The other risk, if you go
23 every year, you know, at some point, it's
24 just a joke, well, they've got their bill
25 again and they are going to withdraw it.

1 And that's a bad, I think, avenue to take,
2 too. So I'm not in favor of any kind of
3 legislation that would deal with a fee
4 increase. But, you know, the fact of the
5 matter is, we actually increased our cash
6 surplus by, according to the Legislative
7 Auditor, \$17,000 year over year. So, you
8 know, the staff and the Commission, we have
9 done a good job with what we have.

10 So I think the next thing we
11 need to look at is what our cost is going to
12 be to do a significant IT update, which is
13 what we need so bad, and see what that's
14 going to do to our surplus. I mean, that
15 could -- that has the potential to knock a
16 pretty good hole in our surplus.

17 MR. BOURGEOIS:

18 Eventually, cut down on the
19 personnel over time on stuff like that by
20 having --

21 MR. ROBINSON:

22 It might save -- the only
23 overtime we have really is renewals and we
24 will have overtime in November and December
25 like we did last year. So it's not a big

1 budgetary item. It's just -- you know, we
2 are not in the dark ages, but we are
3 certainly not anywhere near where we could
4 be and, you know, we need to get to that
5 point. It will make the agency flow a lot
6 smoother. It will be better for the
7 dealers, better for the consumers, you know,
8 be better for us. It would be better for
9 everybody.

10 So anything else, Ron?

11 MR. DUPLESSIS:

12 No. That's it.

13 MR. ROBINSON:

14 As he said, you know, if
15 there is something you want to see or that
16 you are out and you are hearing, whether you
17 are hearing it from auction, you know,
18 people or dealers, salvage or whatever --

19 MR. BREWER:

20 Did you say November 15?

21 MR. DUPLESSIS:

22 November 15 after this
23 meeting at one o'clock at the archives
24 building.

25 MS. BARON:

1 Ron, do you want us to put
2 that on the website as well?

3 MR. DUPLESSIS:

4 Yes, I think so. I think if
5 we post it early and if we include it with
6 that E-mail mailing and also Butch's people,
7 that way we can get it out early and we have
8 LKQ here. I'm sure --

9 MR. BOURGEOIS:

10 How many people did you have
11 last year, Ron?

12 MR. DUPLESSIS:

13 Half a dozen or so.

14 MR. BOURGEOIS:

15 This isn't big enough?

16 MR. DUPLESSIS:

17 I hate to approach it with
18 that kind of thought, because I would like
19 to think we will have a bunch of people turn
20 out this year.

21 It doesn't cost us anything,
22 does it?

23 MS. BARON:

24 \$75.

25 MR. DUPLESSIS:

1 That's not enough to worry
2 about.

3 MR. ROBINSON:

4 All right. Item 5, Executive
5 Director's report, complaints, totals.

6 MR. PARNELL:

7 The first item is the
8 complaint totals, which is the activity
9 period of September 2010. The total alleged
10 issues this month was 48, 11 are
11 non-delivery of title, 19 were complaints
12 for requests for refunds or down payments,
13 request of down payments. What's been going
14 on this past month, a lot of investigators,
15 I kind of informed them that we really want
16 to be a little bit more proactive in what we
17 are doing as it relates to our
18 investigations and we want to make sure that
19 once they go out, if someone is in violation
20 at that point, go ahead and -- let's go
21 ahead and issue violations for them, because
22 they are already committing the violation.

23 Typically, in the past what I
24 have understood it to be is that they kind
25 of went out and, you know, worked with them

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1 a lot and we still want them to work with
2 them. And when I mentioned that to them, I
3 kind of prefaced it with saying that I don't
4 want them going out there just cracking the
5 whip on everybody, that, you know, we maybe
6 just didn't know about it or whatever the
7 case may be. But it's going to be a great
8 push as far as our communication with
9 everyone. I think a lot of our dealers -- a
10 lot of them want to do the right things.
11 Some of them don't know what the right
12 things are as it relates to how they are
13 conducting their business or what they are
14 doing incorrectly. So they have been
15 writing much more violations. So moving
16 into the next meeting, we will have some
17 numbers to kind of talk about it as it
18 relates to that.

19 The next item on the
20 Executive Director report is the fleet
21 vehicle status. You know, on the evening of
22 September 23, one of our field investigators
23 in the new vehicle that we purchased, a deer
24 hit him. It was out in no man's land, what
25 we call no man's land, which is the

1 southwest region of the state. He was
2 traveling, it was probably about 5:30, six
3 o'clock in the evening and a deer just ran
4 out and hit his vehicle. What we did was,
5 we went through the proper agencies that we
6 are supposed to go through. The total cost
7 of the repairs for the vehicle was
8 \$2,345.20. The agency -- we just only had
9 to pay our deductible of \$1,000. The
10 vehicle went in -- we went to a dealer --
11 I'm sorry, a repair company that was in
12 Monroe, a fairly reputable company from what
13 I understood, you know, kind of Googled it a
14 little bit to find out about them, and they
15 repaired it within two days and he was back
16 on the road again in the vehicle. So that
17 vehicle is repaired and looks great.

18 MR. ROY:

19 Who was it?

20 MR. PARNELL:

21 I can't think of the name
22 offhand.

23 MR. ROY:

24 He is okay and everything?

25 MR. PARNELL:

1 Yes, he's fine. I have some
2 pictures that I may go ahead and send out to
3 you guys to see what damage that deer did to
4 our vehicle.

5 MR. ROBINSON:

6 We are actually fortunate,
7 because he hit a deer, I seen the pictures
8 and you heard the damage amount and it was
9 pretty miniscule really in today's world.
10 It was fortunate for Ronnie, it could have
11 been a bad thing.

12 MR. PARNELL:

13 Right.

14 MR. ROBINSON:

15 Actually, it came out as well
16 as it could have come out.

17 MR. PARNELL:

18 The next item is the CAVU
19 update, as I mentioned a little bit earlier.
20 Every month, we -- CAVU has recommitted to
21 try to meet with us monthly and at that
22 meeting, we are talking about E-mail
23 addresses, as we mentioned a little while
24 ago, and our representative, he immediately
25 -- while we were talking, he went ahead and

1 created that report for us and went ahead
2 and sent it out to us and told us how to
3 actually log in and pull that information.
4 But the main thing about the CAVU report was
5 the meeting that we took -- that took place
6 on the 28th. What happened with CAVU in
7 April of 2010, a company Iron Data, they
8 bought CAVU out. Iron Data is a very large
9 company. It's a national company and --
10 they are very large. They conduct
11 themselves, from the research that I found,
12 very professional. They are very good at
13 taking care of things that need to be taken
14 care of in a timely fashion.

15 One of the things that
16 happened during that meeting -- the first
17 thing that happened, Kim was there, and it
18 kind of surprised those guys, the
19 vice-president of operations came. The
20 first thing I kind of talked to them about
21 before we really got started about the
22 meeting was the sentiment of the Commission,
23 first and foremost that the Commission
24 wasn't happy with CAVU where it stood. The
25 Commission is paying them money and we are

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1 not getting the product that we thought we
2 should have gotten and, you know, that was
3 one of the goals for the new vice-president
4 of operations, to get out and touch base
5 with everyone that has CAVU that they bought
6 out.

7 One of the main things that
8 he expressed is that, you know, they have a
9 need to rebuild the credibility within CAVU.
10 This company, I do believe, is going to
11 bring us to a place where we are going to be
12 functioning a lot more efficient. If we
13 have issues -- they have a lot more
14 infrastructure to actually take care of the
15 situations than CAVU did, because what was
16 expressed to us is that CAVU is pretty much
17 -- was considered a mom and pop operation
18 trying to conduct themselves as a large
19 conglomerate body, which they couldn't do.
20 They just didn't have the manpower. They
21 didn't have the tools. They didn't have the
22 resources to do that.

23 But from what -- our meeting
24 kind of talked about, they are really moving
25 forward in the direction that will be --

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1 really facilitate our need. They do also --
2 they have a lot of other products and what
3 I'll do today is, we are going to go ahead
4 and get that e-mail out to you that kind of
5 shows you the maintenance and the products
6 that they have out there, a lot of what we
7 are using. We can use some assistance on --
8 a lot of things that when we are talking
9 during that meeting, and this is probably
10 something that we talked about early on in
11 the process when we were talking about CAVU
12 as a whole, there's a lot of things that we
13 don't know how to do here in the office that
14 it can already do. And so there is a need
15 for more training as it relates to the
16 system itself.

17 So that's what they've told
18 me, is that they are committed to making
19 sure that we are back to the place where we
20 can respect the company as a whole. What
21 they asked for was a list of items that were
22 issues. So we put together a list of nine
23 items that were issues, prioritized them
24 from number one to number nine and they have
25 been working diligently and trying to make

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1 sure they get those things worked out. Now,
2 there are still some issues out there, yes,
3 there's no question about that. But I think
4 we are trying to move forward in the
5 direction that would actually work for us.

6 One item that came up during
7 that discussion was the upgrade. Now, we
8 all know that we are behind nearly two years
9 in the upgrade. The problem right now would
10 be if we did the upgrade during the renewal
11 period, it could cause issues. And that's
12 pretty much it.

13 Are there any questions or
14 comments about --

15 MR. ROBINSON:

16 I wouldn't get involved in
17 any upgrades. You know, if something
18 changes in the system at this point -- do
19 you think -- I mean, the Commission has been
20 somewhat vocal in the past about, you know,
21 even entertaining or looking at other
22 software. Do you think that we still need
23 to look at other software or wait and see
24 what CAVU can do for us?

25 MR. PARNELL:

1 I would like to see what this
2 Iron Data company that bought CAVU, what
3 they are really made of first before we
4 really look at doing that, because it is a
5 great cost in trying to get additional
6 software. I would like to take a little
7 time to kind of look at them and see what
8 they really can do. Timeframe, I don't know
9 if I can give you six months or so to find
10 out are they capable of doing what they say
11 they can do.

12 MR. ROBINSON:

13 Let's speed it up.

14 MR. TURNER:

15 Iron Data is a national
16 company?

17 MR. PARNELL:

18 Yes.

19 MR. TURNER:

20 Where are they headquartered
21 at?

22 MR. PARNELL:

23 They are headquartered out of
24 Atlanta, Georgia.

25 MR. TURNER:

1 And they do a lot of state
2 government work?

3 MR. PARNELL:

4 Yes, yes. Fifty percent of
5 the business is through governmental
6 entities that -- what they do is, they
7 really come in and they help out these
8 licensing entities. They offer a lot of
9 products as far as servers and that was
10 something that was talked about as well.
11 But they go in and help -- basically, they
12 really buy them out and actually take over
13 these agencies, really about licensing, they
14 do that. They go in and buy them out and
15 re-configure them.

16 MR. TURNER:

17 Streamline them.

18 MR. PARNELL:

19 Streamline them and get them
20 to the level that should be at.

21 MR. ROBINSON:

22 Well, while we've got legal
23 counsel here, let's say we decide we need to
24 spend for the second conversation \$50,000 to
25 upgrade our IT that we have, is that

1 something that falls under public bid or
2 since you are under contract with the
3 company, is it -- or is it not a fair
4 question, do y'all need to look at it?

5 MS. MORRIS:

6 It is under the
7 Telecommunications and Data Processing
8 Procurement Act and after \$30,000 of
9 software plus modification, related
10 hardware, it -- you have to do sealed bids.

11 MR. ROBINSON:

12 Sealed bids.

13 MR. HALLACK:

14 But if you are under contract
15 with CAVU, I don't -- to do an upgrade on
16 the system, I don't think you have to do
17 that.

18 MS. MORRIS:

19 If it's less than the
20 threshold. The upgrade on CAVU, I don't
21 what range it's in, but if it's less than
22 \$30,000.

23 MR. PARNELL:

24 I don't have a number. So I
25 don't know.

1 MR. ROBINSON:

2 Somebody needs to research
3 it, you or get one of them or you, but let's
4 go ahead and find out how the system works,
5 if we have no idea what we might spend. And
6 the other thing is, if it is a \$30,000
7 number or whatever, if there is a number,
8 you know, over what period of time is that
9 number, is that on an annual basis or -- you
10 know, we just need to find out. You might
11 as well do it up front, so we are not
12 sitting here looking at trying to take
13 action when we don't know exactly what the
14 state policies are on that.

15 MR. PARNELL:

16 That concludes --

17 MR. ROBINSON:

18 The Executive Director's
19 report. So that -- then to the agenda
20 change that we made. It's Executive
21 Director evaluation.

22 Director Parnell, since it's
23 your annual review, you have the option to
24 hold it in Executive Session or hold it in
25 public forum. Do you have a preference?

1 MR. PARNELL:

2 I would prefer to hold it in
3 Executive Session.

4 MR. ROBINSON:

5 Okay.

6 MR. BOURGEOIS:

7 I second that motion. I make
8 the motion to go into Executive Session due
9 to personnel issues.

10 MR. BREWER:

11 I second.

12 MR. ROBINSON:

13 I've got a motion and second.
14 Is that good enough?

15 MS. MORRIS:

16 You need a roll call vote.

17 MR. ROBINSON:

18 Yes. All right.

19 Ms. Kim, would you if you
20 would, please.

21 MS. BARON:

22 Glen Robinson?

23 MR. ROBINSON:

24 Yes.

25 MS. BARON:

1 George Brewer.

2 MR. BREWER:

3 Yes.

4 MS. BARON:

5 Louis Bourgeois?

6 MR. BOURGEOIS:

7 Yes.

8 MS. BARON:

9 Tony Cormier?

10 MR. CORMIER:

11 Yes.

12 MS. BARON:

13 Ron Duplessis?

14 MR. DUPLESSIS:

15 Yes.

16 MS. BARON:

17 George Floyd?

18 MR. FLOYD:

19 Yes.

20 MS. BARON:

21 John Poteet?

22 MR. POTEET:

23 Yes.

24 MS. BARON:

25 Kirby Roy?

1 MR. ROY:

2 Yes.

3 MS. BARON:

4 Darty Smith?

5 MR. SMITH:

6 Yes.

7 MS. BARON:

8 Douglas Turner?

9 MR. TURNER:

10 Yes.

11 MR. ROBINSON:

12 Anyone that is here for the
13 hearing, which is Item #6, the Pro Auto
14 Sales, I mean, that will be held after we
15 finish this evaluation. So you do need to
16 stay. It will be held as soon as we finish
17 this Executive Session. Everyone else is
18 excused.

19 (EXECUTIVE SESSION)

20 MR. ROBINSON:

21 Ms. Morris.

22 MS. MORRIS:

23 Yes.

24 MR. ROBINSON:

25 We made a motion and took a

1 roll call vote to exit Executive Session,
2 but do you want to you us to do it out and
3 put it back in the minutes?

4 MS. MORRIS:

5 It needs to be on the record.

6 MR. ROBINSON:

7 So we need another motion to
8 get out of Executive Session.

9 MR. BOURGEOIS:

10 I make another motion to get
11 out of Executive Session.

12 MR. SMITH:

13 I'll second.

14 MR. ROBINSON:

15 First and a second. Roll
16 call vote. This is to exit out of Executive
17 Session.

18 MS. BARON:

19 Glen Robinson?

20 MR. ROBINSON:

21 Yes.

22 MS. BARON:

23 George Brewer?

24 MR. BREWER:

25 Yes.

1 MS. BARON:
2 Louis Bourgeois?

3 MR. BOURGEOIS:
4 Yes.

5 MS. BARON:
6 Tony Cormier?

7 MR. CORMIER:
8 Yes.

9 MS. BARON:
10 Ron Duplessis?

11 MR. DUPLESSIS:
12 Yes.

13 MS. BARON:
14 George Floyd?

15 MR. FLOYD:
16 Yes.

17 MS. BARON:
18 John Poteet?

19 MR. POTEET:
20 Yes.

21 MS. BARON:
22 Kirby Roy?

23 MR. ROY:
24 Yes.

25 MS. BARON:

1 Darty Smith?

2 MR. SMITH:

3 Yes.

4 MS. BARON:

5 And Douglas Turner?

6 MR. TURNER:

7 Yes.

8 MR. ROBINSON:

9 The Louisiana Used Motor
10 Vehicle Commission just finished Executive
11 Session and doing the Executive Director's
12 evaluation. He is up for his annual
13 evaluation. We discussed the pros and the
14 cons as to what has transpired over the
15 almost one year that Derek has been the
16 Executive Director. In terms of his
17 abilities as the Executive Director, his
18 strengths, his weaknesses, the direction of
19 the Commission, every single Commissioner
20 had input, every Commissioner had input. We
21 had a very frank and open discussion as to
22 Mr. Parnell's strengths and weaknesses.

23 Good enough?

24 MS. MORRIS:

25 Yes..

1 MR. BOURGEOIS:

2 I make a motion -- I was
3 halfway in charge of the evaluation. I make
4 a motion that we bring his pay scale up to
5 \$83,000 per year beginning on his one year
6 anniversary.

7 MR. POTEET:

8 Second.

9 MR. ROBINSON:

10 We have a motion and a second
11 to change Executive Director Parnell's pay
12 to \$83,000 on his one year anniversary.

13 Any discussion?

14 (No response.)

15 MR. ROBINSON:

16 All in favor? And let's do a
17 roll call vote.

18 MS. BARON:

19 Glen Robinson?

20 MR. ROBINSON:

21 Yes.

22 MS. BARON:

23 George Brewer?

24 MR. BREWER:

25 Yes.

1 MS. BARON:
2 Louis Bourgeois?

3 MR. BOURGEOIS:
4 Yes.

5 MS. BARON:
6 Tony Cormier?

7 MR. CORMIER:
8 Yes.

9 MS. BARON:
10 Ron Duplessis?

11 MR. DUPLESSIS:
12 Yes.

13 MS. BARON:
14 George Floyd?

15 MR. FLOYD:
16 Yes.

17 MS. BARON:
18 John Poteet?

19 MR. POTEET:
20 Yes.

21 MS. BARON:
22 Kirby Roy?

23 MR. ROY:
24 Yes.

25 MS. BARON:

1 Darty Smith?

2 MR. SMITH:

3 Yes.

4 MS. BARON:

5 Douglas Turner?

6 MR. TURNER:

7 Yes.

8 MR. ROBINSON:

9 The motion passes.

10 (HEARING)

11 MR. ROBINSON:

12 Item #7 on the agenda,
13 anything anyone has for the next meeting,
14 items for the next agenda?

15 Again, as always, get with
16 Director Parnell and myself if there's
17 something you want to see on the agenda.
18 And that concludes the business of the
19 Commission.

20 Does anybody want to make a
21 motion?

22 MR. BOURGEOIS:

23 I make a motion.

24 MR. SMITH:

25 I'll second.

1 MR. ROBINSON:

2 A motion and a second to
3 adjourn.

4 All in favor?

5 (All "Aye" responses.)

6 MR. ROBINSON:

7 Anyone opposed?

8 (No response.)

9 MR. ROBINSON:

10 Okay. Thank you everybody.

11
12 (The meeting ended at 11:35.)
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1 REPORTER'S CERTIFICATE
2

3 I, BETTY D. GLISSMAN, Certified
4 Court Reporter, Certificate No. 86150, in
5 and for the State of Louisiana, do hereby
6 certify that the Louisiana Used Motor
7 Vehicle Commission October 18, 2010 meeting
8 was reported by me in the stenotype
9 reporting method, was prepared and
10 transcribed by me or under my personal
11 direction and supervision, and is a true and
12 correct transcript to the best of my ability
13 and understanding.

14 This October 28, 2010, Baton
15 Rouge, Louisiana.
16
17
18
19
20
21

22 _____
23 BETTY D. GLISSMAN, CCR
24 CERTIFIED COURT REPORTER
25

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