

LOUISIANA USED MOTOR VEHICLE COMMISSION
STATE OF LOUISIANA

REGULAR MEETING
NOVEMBER 28, 2016
BEGINNING AT 9:30 A.M.

3132 VALLEY CREEK
BATON ROUGE, LOUISIANA

REPORTED BY:
BETTY D. GLISSMAN, CCR

1 APPEARANCES:

2

3 CHAIRMAN:

MR. JOHN POTEET

4

COMMISSIONERS PRESENT:

5 MR. TONY CORMIER (Arrived Late)

6 MR. RICKY DONNELL

7 MR. RON DUPLESSIS

8 MR. GEORGE FLOYD

9 MR. KIRBY ROY

10 MR. HENRY "DARTY" SMITH

11 MR. DINO TAYLOR

12 MR. RICHARD WATTS

13

14 REPRESENTING THE LOUISIANA USED MOTOR

15 VEHICLE COMMISSION:

16

17 ROBERT W. HALLACK, ESQUIRE

HALLACK LAW OFFICE

18 13007 JUSTICE AVENUE

BATON ROUGE, LOUISIANA 70816

19

SHERI MORRIS, ESQUIRE

20 ROEDEL, PARSONS, KOCH, BLACHE,

BALHOFF & McCOLLISTER

21 8440 JEFFERSON HIGHWAY, SUITE 301

BATON ROUGE, LOUISIANA 70809

22

23

24

25

1 ALSO PRESENT:

2 MS. KIM BARON

3 MR. DEREK PARNELL

4 MS. MONA ANDERSON

5 MS. TONYA BURKS

6 MR. PERRY ESPONGE

7 MR. DWAYNE TAMBLING

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 (Pledge of Allegiance.)

2 MR. POTEET:

3 Roll call.

4 MS. BARON:

5 Mr. Poteet?

6 MR. POTEET:

7 Here.

8 MS. BARON:

9 Dino Taylor?

10 MR. TAYLOR:

11 Here.

12 MS. BARON:

13 Tony Cormier?

14 MR. CORMIER:

15 (No response.)

16 MS. BARON:

17 Ron Duplessis?

18 MR. DUPLESSIS:

19 Here.

20 MS. BARON:

21 George Floyd?

22 MR. FLOYD:

23 Here.

24 MS. BARON:

25 Jimmy Granger?

1 MR. GRANGER:

2 (No response.)

3 MS. BARON:

4 Darty Smith?

5 MR. SMITH:

6 Here.

7 MS. BARON:

8 Steve Olave?

9 MR. OLAVE:

10 (No response.)

11 MS. BARON:

12 Ricky Donnell?

13 MR. DONNELL:

14 Here.

15 MS. BARON:

16 And Richard Watts?

17 MR. WATTS:

18 Here.

19 MS. BARON:

20 Mr. Chairman, we have a quorum.

21 MR. POTEET:

22 Excellent. Anyone here today for public
23 comments?

24 MS. BARON:

25 No, sir, there is not.

1 MR. POTEET:

2 Okay. Hopefully, everyone has had a
3 chance to read the minutes from the prior meeting
4 and if you have no issues or questions, I will
5 entertain a motion to adopt those.

6 MR. SMITH:

7 I make a motion.

8 MR. DONNELL:

9 Second.

10 MR. POTEET:

11 All in favor, say "Aye."

12 (All "Aye" responses.)

13 MR. POTEET:

14 Any opposed?

15 (No response.)

16 MR. POTEET:

17 All right. Those are approved.

18 Mona.

19 MS. ANDERSON:

20 Okay. So if you'll turn in your packets
21 to the financial statements for the month of
22 October, on the statement of net position on the
23 first page, the balance in the operating account
24 increased \$157,000 to \$1,983,000. The fines
25 accounts receivable were \$220,000. The

1 uncollectible accounts that you see there decreased
2 as we wrote off some of the older accounts. We had
3 three or four older accounts we wrote off during the
4 audit that amounted to about \$4,900. They were from
5 prior to 2009 and they were already at the AG's
6 Office, but if we collect them -- you know, if at
7 any time we collect them, we could add them back in,
8 but we needed to get them off the books due to the
9 age.

10 The audited adjusting journal entries
11 were entered in the books last month after the audit
12 was finished and that resulted in a net decrease in
13 the non-current assets. We recorded where vehicle
14 assets were transferred to surplus. That already
15 had happened during the year, but we recorded them
16 at audit. The remaining assets were depreciated.

17 Under the liabilities section, the claim
18 against bonds and escrow fines increased. Long-term
19 liabilities on the next page increased when renewals
20 were beginning to be received in October. The 2017
21 renewals from last year amount to \$266,600. That
22 will go into revenue as it will be fully earned on
23 January 1st of 2017. In these finances, there are
24 \$69,000 of 2018 year money.

25 The net pension liability increased to 3

1 million. Again, we're going to look into that
2 because of the large increase that we incurred
3 according to the figures we received.

4 Turning on to the statement of revenues,
5 expenses, and changes in net position, the
6 year-to-date revenues are \$357,788 compared to
7 \$299,940 last year. However, it's really early in
8 the season. So that could just be a change in the
9 influx of renewals. The -- on the next page under
10 the expenditures, the salaries, and related benefits
11 were \$59,613 for the month and \$252,129
12 year-to-date. The year-to-date figures were about
13 \$10,000 lower than last year, because we had a
14 benefit decrease last year.

15 Going forward into 2017, we've already
16 been notified by Office of Group Benefits that there
17 will be a significant health insurance increase. On
18 Page 8, the changes in revenue -- I'm sorry, the
19 change in revenue types -- let's see. Moving on to
20 the month to month -- I'm on the wrong page. I'm
21 sorry. The remainder of the expenses decreased by
22 \$21,000 and the change in net position was \$35,245.

23 Now, moving on to the revenues and
24 expenditures comparison on a month-to-month basis,
25 that report shows that -- the comparison between the

1 month this year and the month last year and the
2 chart on the following page shows the changes over
3 the year. You can see we're just beginning to
4 recover from where the net pension liability was
5 entered for the audit.

6 And, I'm sorry, now Page 8, the changes
7 -- it shows the changes in the types of revenue.
8 The UD revenue and the sales revenue were
9 significantly higher this year, our hearing fines a
10 little lower.

11 On the following page is the certificate
12 of deposit summary, no changes in that. There were
13 some slight increases. We recorded some interest
14 that got rolled into the CDs when they were changed
15 over. So we verify our balances at audit and record
16 those slight variances at that time. On the
17 following page, the accounts receivable fines, we
18 assessed \$1,550 last month and we collected \$15,891.
19 The balance on the accounts receivable fines was
20 \$220,533.

21 And so unless there are any questions,
22 Mr. Chairman, that concludes my financial report.

23 MR. POTEET:

24 Back to the thing about the pension. Did
25 -- okay. We asked the question, why that was?

1 MS. ANDERSON:

2 I have -- no, sir. I've not gotten to
3 talk to them yet, but I intend to as to why our
4 percentage was so much higher than other agencies of
5 our size. The auditor felt like we had an unusually
6 high percentage based on what we have. I don't know
7 if that has anything to do with the number of
8 retirees that we have, you know. We do -- we had a
9 number of people that retired prior to the time that
10 the Executive Director came on board. So that -- I
11 don't know if that has anything to do with it or
12 not, but --

13 MR. POTEET:

14 So we work significantly different than
15 some other commissions of our size.

16 MS. ANDERSON:

17 Than other agencies of our size and, you
18 know, I can ask the question. It may take some time
19 to get somebody to actually look into it and answer
20 it, but maybe by the time we get to our next audit,
21 we'll have more information.

22 MR. POTEET:

23 By the time we get to the next audit,
24 maybe we'll find out. Okay.

25 Does anybody have any questions for Mona?

1 (No response.)

2 MR. POTEET:

3 All right. We need a motion to approve.

4 MR. SMITH:

5 I make a motion to approve.

6 MR. POTEET:

7 I need a second.

8 MR. DONNELL:

9 Second.

10 MR. POTEET:

11 Mr. Donnell.

12 All in favor, say, "Aye."

13 (All "Aye" responses.)

14 MR. POTEET:

15 Any opposed?

16 (No response.)

17 MR. POTEET:

18 All right. The financials reports are
19 accepted. Thank you, Mona.

20 MS. ANDERSON:

21 Okay.

22 MR. POTEET:

23 What do we have next? The budget. I'm
24 sorry. I'm reading it one line at a time.

25 MS. ANDERSON:

1 Okay. So if you'll turn in your packets,
2 you have the proposed 2017/'18 budget. We're basing
3 this on the actual for this fiscal year, which just
4 began. And so, you know, we make a good faith
5 estimate, and then adjust the budget from there. On
6 BC-1, the budgeted revenues from licensing would be
7 \$1,316,000. Fines would be \$230,000. And that
8 would be a -- the total revenue would be about a 3
9 percent increase of \$1,564,000.

10 And then if you'll turn -- we're going to
11 kind of go back and forth in the packet. So if
12 you'll turn to -- the pages are up in the right-hand
13 corner. BC-6A gives you our salaries and related
14 benefits. And on that page, we currently have three
15 vacant positions and we're anticipating an increase
16 in the retirement in July. Last year was a
17 decrease, but I think going forward, we're still
18 going to have to take care of the unfunded
19 liability. So I expect them to increase that. As
20 we said previously, the group health insurance is
21 going up. We will start deducting that in December
22 for payment in January, and that's a 7.5 percent
23 increase in premiums.

24 And so turning on to BC-7, BC -- the
25 following page is just your per diem. BC-7 gives

1 you the travel for the Commissioners and our staff.
2 Most of our staff use State vehicles, but we have
3 one part-time staffer that we reimburse up to a
4 limit. So that is included in there.

5 On the following page, BC-8, are
6 operating expenditures. These are just our regular
7 expenses. We estimated the 2016/'17 expenditures
8 and increased them about 10 percent. The
9 maintenance category includes things like our alarm,
10 our janitorial service, our lawn maintenance.
11 Miscellaneous expenses are things like our bank fees
12 and merchant fees for our online transactions.

13 On BC-9, we budgeted our contracts. We
14 always budget at the maximum amount. So what you
15 see over there in that far column is the maximum
16 amount. We budgeted a small increase in the
17 accounting function. We've been holding the same on
18 that contract for quite sometime. So we may have
19 some increase there. And in prior years, it was
20 more like -- the first two columns that you're
21 looking at, those are more like our actual expenses,
22 but just as a precautionary measure, we budget to
23 the maximum of the contract.

24 And on BC-10, our other charges are
25 mainly IT related expenses. So during the first

1 half of 2017, we're going to continue to pay CAVU.
2 Their fees go through June or July -- July, I think.
3 And so we're going to continue to maintain that
4 while we transition over to our new program. The
5 new licensing program is shown there for both
6 '16/'17 and '17/'18. The fees at the beginning of
7 the program are higher, because it's more intensive
8 support. We'll pay for them to customize that
9 program to our process. So it's going to take more
10 support hours. And then in subsequent years, we're
11 going to be looking at a lower support program.

12 On BC-11, those are our acquisitions and
13 major repairs. Every year, we budget for replacing
14 at least one vehicle as a precaution. We also
15 budgeted \$8,000 for computers for the investigators
16 and the licensing staff. Those computers are going
17 on seven years old. So we'll probably be replacing
18 those in that fiscal year.

19 And then if you turn back to BC-2, you
20 can see the summary of all of the expenditures and
21 our expenditures -- our budgeted expenditures are
22 \$1,434,136.

23 And the following page, BC-3, shows our
24 net position and the line down at the very bottom
25 shows our -- what our net position for the year

1 would be. The net pension liability can only be
2 included in the actual figures -- actual audited
3 figures. So we can't estimate that. We can't even
4 put a figure in there, because that depends on the
5 actuarial calculations. And, hopefully, we'll get
6 some result from them about decreasing that
7 liability. I talked to the auditor and he said that
8 mostly the legislative auditor looks to see what
9 your net liability is. Your net position is outside
10 of that net pension liability and OPEB and those
11 types of recognitions. So they know that, you know,
12 we don't look at those figures in the budget. And
13 so unless there are any questions, that concludes my
14 report. We need a resolution.

15 MR. POTEET:

16 We have to vote on that. So we have --
17 need a resolution to accept the budget. We need a
18 motion.

19 MR. TAYLOR:

20 I make a motion.

21 MR. SMITH:

22 Second.

23 MR. POTEET:

24 Second by Mr. Smith.

25 All in favor, say, "Aye."

1 (All "Aye" responses.)

2 MR. POTEET:

3 Any opposed?

4 (No response.)

5 MR. POTEET:

6 All right. I think now you're done.

7 Good work.

8 I was curious when you were talking about
9 that, because since we now have licenses every two
10 years for dealers, is there one year that's higher
11 than the other or are they pretty even?

12 MS. ANDERSON:

13 It seems to be that this year is, but
14 there's a lot -- you know, I've discussed this with
15 the auditor a number of times, because he keeps
16 trying to get a handle on how it flows. And I said,
17 well, you have to know that we have dealers who come
18 and go and we have -- and that fluctuates along with
19 the size of the territory that's renewing each year.
20 So, you know, you can't accurately say, well, it's
21 really always -- this one is going to be higher and
22 this one is going to be lower, because it depends on
23 the changes.

24 MR. POTEET:

25 Okay. Just curious. All right. Thank

1 you.

2 The next thing on our agenda is
3 discussion on licensing floor planners. Derek.

4 MR. PARNELL:

5 This is something that Counselor Hallack
6 is going to kind of address.

7 MR. POTEET:

8 Oh, okay. Good morning, Mr. Hallack.

9 MR. HALLACK:

10 Good morning. As you know, we see a lot
11 of dealers that come in here on violations and it's
12 probably because they got behind on the floor plan.
13 And we looked at -- Kim and the office looked at who
14 in the State regulates the floor planners and we
15 found out by contacting the Office of Financial
16 Institutions that nobody within the State regulates
17 floor planners, because floor planners are not
18 consumer loans. They're considered commercial
19 loans. So we've had a lot of problems with floor
20 planners, particularly one. And so we looked at
21 trying to find a way to contact an agency that would
22 be responsible for regulating floor planners and we
23 could not find one, even really on the federal
24 level. I think Kim did finally end up -- or maybe
25 it was Perry. Somebody ended up finding some type

1 of federal agency. They don't come under the new
2 consumer protection agency, because they're not a
3 consumer loan. Again, they're commercial only. So
4 somebody was able to track down a federal agency.

5 Kim, do you have any information on that?

6 MS. BARON:

7 I think it was Stacy that came up --

8 MR. ESPONGE:

9 It was the Department of Treasury,
10 Comptroller's office.

11 MR. HALLACK:

12 Okay. But they're not actually regulated
13 by them.

14 MR. ESPONGE:

15 When Stacy called, it was of no help
16 whatsoever.

17 MR. HALLACK:

18 So this is a -- an institution that's
19 largely unregulated and because they lend money to
20 our dealers, and I know it's not that many.

21 Kim, how many, about five?

22 MS. BARON:

23 Yes.

24 MR. HALLACK:

25 There's about five floor planners that do

1 business in the State of Louisiana. It's not like
2 we're going to rake in a lot of money, but it is
3 something I think we need to consider regulating
4 because of the problems that we've seen. And we've
5 got a case that's fixing to come before you where
6 the dealer was just raked over the coals by fees
7 that were never explained to him and you can --
8 you'll see all his documentation of all these
9 incredible fees that this floor planner was charging
10 this dealer.

11 MS. BARON:

12 NextGear is the worst. I shouldn't say
13 the worst, but they have the most exuberant fees
14 than anybody, you know.

15 MR. HALLACK:

16 Well, I mean -- so this is something that
17 I think we should start talking about, maybe
18 possibly licensing and regulating. And, again, I
19 think this also flows into perhaps what we want to
20 do with the motor vehicle sales finance, also. If
21 we move in that direction, whether we want to move
22 that over to the used motor vehicle side and that's
23 something that we probably need to look at including
24 within that.

25 MR. TAYLOR:

1 Do we have the budget -- the legal budget
2 to go up against some of these big companies like
3 NextGear, if we have to get in some type of battle
4 with these guys, do we have legal counsel budget for
5 us to actually do that?

6 MR. HALLACK:

7 I think that's something that you need to
8 ask Sheri about. I don't know how much -- what kind
9 of fees -- how attorney fee intensive it might be,
10 so.

11 MR. TAYLOR:

12 I think there are national companies that
13 like to fight, I'm sure, if it gets down to it.

14 MR. HALLACK:

15 Well, sure. You've got -- if you have a
16 business that's largely unregulated, then, you know,
17 you want to fight that as hard as you can. I
18 believe -- because looking at the NextGear contract,
19 that contract is like state specific. In other
20 words, there are certain states that contract with a
21 work-in and I'm betting it's because they're
22 regulated in those states. And so I'm betting
23 they're regulated in states other than, you know,
24 what we know about. So, I mean, there is that
25 possibility that they are being regulated. I would

1 bet that states like California and Minnesota, who
2 do try to regulate that type of activity, I bet
3 they're regulated there.

4 MR. POTEET:

5 Any comments?

6 MR. DUPLESSIS:

7 We can't just lobby. So I think Sheri
8 and I have experience in this and we were on the
9 other side. We were trying to get floor planners in
10 and consumer loans that trickled down laterally. I
11 don't think the legal aspect is very intensive. I
12 think we can write the legislation and sit at the
13 table and testify to it and we can make a good case.
14 I think what the legislators want to hear is, they
15 want to hear positive legislation and stop abuse.
16 If we can get into fairly specific cases, and we
17 can, because basically what we do here is public
18 record. We -- as a State agency, I don't believe
19 that we can engage in confidentiality of parties.
20 So everything that we say can be brought forward in
21 testimony. I think it's a fairly -- it's not going
22 to be easy. I don't think that we will have that
23 much push back except for one. We've been down that
24 road before and, you know, we chipped away at it and
25 I think this will be a good time to do it, carefully

1 written.

2 MR. HALLACK:

3 We just need to see what other states are
4 doing. Somebody has got to be regulating this,
5 because their contract is state specific. So I'm
6 sure there's some regulation by other states out
7 there. We just haven't had a chance to look at it.

8 MR. DUPLESSIS:

9 Well, when you sit at the table, they ask
10 who else is doing this? And if you say, Texas,
11 Mississippi, Alabama, Arkansas, Oklahoma, and
12 Florida, you've got good credibility. Nobody ever
13 knows what goes on in Alabama and we can't figure it
14 out. So we'll disregard Alabama. But I think if we
15 cling on to those states as a quick search, we can
16 gather -- I think Texas probably has a regulation.
17 They're fairly uniform and tightly structured in
18 their legislative effort.

19 MR. HALLACK:

20 For instance, the dealer that is coming
21 before y'all, when they changed their plan in August
22 of 2013, it really affected his business, along with
23 the fact that the economy overall was hurting his
24 business, NextGear changed their business plan with
25 him. Maybe Dwayne has some information about it.

1 MR. TAYLOR:

2 Do you know any other -- some of our
3 State -- the IADA president that maybe we might
4 could call and --

5 MR. TAMBLING:

6 I can definitely make some phone calls.
7 Of course, you know, we're tied in with all of the,
8 you know, other Executive Directors. And I'll call
9 National as well and check on that.

10 MR. POTEET:

11 I think I can find out, too, because, you
12 know, every auction that's in the National Auto
13 Auction Association does business with some floor
14 planners. I mean, I have -- AFC rents office space
15 from me. They're actually in the auction. And our
16 auction in Houston is actually the largest
17 independent NextGear auction in the country. So,
18 you know, it's a big business and they are extremely
19 profitable. You would be shocked if you knew how
20 much their profits are. It's almost like all profit
21 practically.

22 MR. HALLACK:

23 And we're not approaching this from the
24 standpoint that we're going to try to make money off
25 of it. If we're only licensing five people, that's

1 only \$1,000 for us in licensing fees. So it's not a
2 big thing. It's more about making sure these people
3 aren't --

4 MR. POTEET:

5 Well, I can check with our -- the legal
6 counsel that I work with on our legislative
7 committee. She'll know. She'll probably know. I
8 know she'll know about NextGear for sure. So there
9 are auctions in every single state in the union and,
10 you know, because of our database of information
11 with the National Auto Auction Association, I think
12 we can probably pick that up. Between Dwayne and
13 me, I'm sure we can find out if there's at least
14 one, and then we can go from there. And I would
15 suggest, you know, states that are more consumer
16 liberal oriented like California or Oregon or places
17 like that, you know, I wouldn't be surprised if they
18 had it. But back to Ron's point, it's a lot easier
19 if somebody like Texas or Oklahoma or Mississippi, I
20 agree with the Alabama, it's hard to figure out,
21 Florida, you know, if one or two of those are doing
22 it, that helps us find out what -- how it's being
23 done. And also to Dino's point, they do have a lot
24 of money. They can -- if they don't want this done,
25 they'll put up a fight. And I think, you know, the

1 best process is to find out where it's being done,
2 how it got done, what led to it, and then whether it
3 fits in.

4 MR. HALLACK:

5 Well, this is November. We have a
6 session coming up in April. Pre-filing is March.

7 MR. POTEET:

8 Well, we can -- I think we can find out,
9 as I said, at least one state that's doing it within
10 the next couple of weeks.

11 MR. TAMBLING:

12 I can let you know today.

13 MR. HALLACK:

14 And, generally, we like to do the
15 Legislative Committee meeting in December. So
16 that's next month. So if we are considering trying
17 to move motor vehicle sales finance away from the
18 New Car Commission to the Used Motor Vehicle
19 Commission, then perhaps that's something we do at
20 the same time since this is the same kind of idea.

21 MR. POTEET:

22 I think it's something worth looking
23 into.

24 MR. HALLACK:

25 We need to probably have something to

1 show you at least in December.

2 MR. POTEET:

3 Okay. Does anybody else have any
4 comments on anything, the numbers, or --

5 MR. DONNELL:

6 Do we need to make any kind of motion to
7 authorize them to --

8 MR. POTEET:

9 No, no, we'll do some research. Dwayne
10 will do some research. I'll do some research,
11 anybody else that wants to look into this or has a
12 floor planner or anything. We'll kind of find out
13 where we are. I think it's important that we don't
14 try to be, you know, at the head of the pack. I
15 don't want to be the first one to regulate floor
16 planners, especially being an auction.

17 MR. DUPLESSIS:

18 Did we set a legislative meeting?

19 MR. POTEET:

20 No. We're going to talk about that in
21 just a few minutes.

22 MR. DUPLESSIS:

23 Okay.

24 MR. POTEET:

25 All right. Let's move on to the

1 ratification of imposed penalties.

2 MR. PARNELL:

3 Commissioners, please find in your packet
4 a chart that illustrates the imposed penalties
5 during the month of October. I've determined that
6 the public interest can be served without further
7 administrative proceeding. I'll go through as usual
8 and announce the name and the violation and the
9 amount paid.

10 Do we have anyone with representation of
11 anyone on the list?

12 MS. BARON:

13 No, sir.

14 MR. PARNELL:

15 Well, then I'll go through. Christina
16 Vicedomini d/b/a Priceline Motors, Covington,
17 Louisiana, fine amount is \$1,800. Car Connection
18 Auto Sales, LLC from Metairie, Louisiana, \$200 fine.
19 United Auto Credit BR, Inc., doing business as Auto
20 USA from Baton Rouge, Louisiana, \$450. Millennium
21 Motor Sales, LLC, doing business as Millennium
22 Motors, from Breaux Bridge, \$200. Margie Davis,
23 doing business as Paul Motors, from Calhoun,
24 Louisiana, \$300. Millennium Motors Sales, LLC from
25 Breaux Bridge, fine amount is \$400. Fox Cars, LLC

1 from Kenner, Louisiana, fine amount is \$750.
2 Blazing Classics, LLC from Holden, Louisiana, fine
3 amount is \$2,400. Walker Auto Sales, LLC from
4 Walker, Louisiana, \$2,400. Wholesale Luxury
5 Motorcars, LLC from Baton Rouge, Louisiana, fine
6 amount is \$250. The total amounts of civil
7 penalties for the month of October was \$9,150.
8 Commissioners, I ask that you ratify the imposed
9 civil penalties assessed.

10 MR. CORMIER:

11 I make a motion.

12 MR. POTEET:

13 Motion, Mr. Cormier.

14 MR. SMITH:

15 Second.

16 MR. POTEET:

17 Second, Mr. Smith.

18 All in favor, say, "Aye."

19 (All "Aye" responses.)

20 MR. POTEET:

21 Any opposed?

22 (No response.)

23 MR. POTEET:

24 All right. Those are ratified.

25 MR. PARNELL:

1 The next document you'll find in your
2 list is the ratifications of revocations list. It's
3 the form. I guess I'll just go through and give the
4 notice of revocation dates. OT&N Auto Sales from
5 Houma, Louisiana, notice of revocation was
6 10/13/2016. Majestic Motors, LLC from Walker,
7 Louisiana, notice of revocation was 10/10 of '16.
8 Clean Used Auto Sales, LLC from Shreveport,
9 Louisiana, notice of revocation was 10/10 of '16.
10 A&A Crushing from Henderson, Texas, notice of
11 revocation was 10/10 of '16. C&J Auto Sales from
12 Lafayette, Louisiana, notice of revocation was
13 8/8/16. Pan-AM, LLC from Lafayette, Louisiana,
14 notice of revocation was 8/8 of '16. Commissioners,
15 I would ask that you ratify the revocations.

16 MR. SMITH:

17 I make a motion.

18 MR. POTEET:

19 Mr. Smith a motion.

20 MR. DONNELL:

21 Second.

22 MR. POTEET:

23 Mr. Donnell second.

24 All in favor, say, "Aye."

25 (All "Aye" responses.)

1 MR. POTEET:

2 Any opposed?

3 (No response.)

4 MR. POTEET:

5 All right. Those are ratified.

6 Next is the Executive Director's report.

7 MR. PARNELL:

8 Commissioners, you'll find in your packet
9 again some charts that illustrate the alleged issue
10 counts that have taken place in October. The first
11 chart is the alleged issue counts. We had 149
12 alleged issues for the month of October. The second
13 chart that you'll find in your packets is the case
14 report. For the month of October, there were 85
15 cases assigned. 12 of those cases have been
16 completed and closed.

17 The last report is the department summary
18 report. It shows the amount of cases that were
19 closed in the month of October outside of those
20 prior cases, which we just discussed.

21 Commissioners, I don't have any other
22 information at this time. If you have any questions
23 or comments, please feel free.

24 MR. POTEET:

25 Well, let's -- at this point, let's talk

1 a little bit about next month. I know we've got a
2 place there, but just for a few seconds. There's
3 been a suggestion that maybe the December 19th
4 meeting could be cancelled. We won't have
5 financials, because Mona is going to be taking some
6 time off. That's all I'm going to say. But we do
7 maybe need to have a discussion about the
8 legislative. Do we want to have a meeting on the
9 19th just for that purpose or should we have a
10 meeting anyway without financials?

11 MR. PARNELL:

12 I guess either way. I mean, I know we do
13 need to have a legislative meeting as soon as
14 possible even if we don't have our normal Commission
15 meeting, because we can always move that to January
16 and have double financials brought at that time, but
17 we have to have a legislative meeting.

18 MR. POTEET:

19 Is everyone here available on December
20 19th or is there anybody not available?

21 (No audible response.)

22 MR. POTEET:

23 Okay. So why don't we do this, why don't
24 we plan to have at least a legislative meeting, and
25 then we'll think about if we should -- between now

1 and then -- if it's just the financials, we're not
2 going to have -- which is just a big chunk of it
3 anyway. We can move all that to the January
4 meeting, which by the way, you guys remember that it
5 will be on January 23rd because of the MLK holiday
6 on the 16th.

7 Are there any comments about that, about
8 the meeting in December?

9 MR. TAYLOR:

10 If we don't have any hearings and we
11 don't have financials, can we play that by ear,
12 we'll just play it down the road, two weeks from
13 now?

14 MR. POTEET:

15 Yes. That's what I'm saying. We'll
16 definitely meet on that day to talk legislative,
17 which we don't have to have a quorum for that, do
18 we?

19 MR. HALLACK:

20 Yes.

21 MR. POTEET:

22 We do have to have a quorum. Okay.
23 Let's plan on at the very least having a legislative
24 meeting between now and then. And then we can plan
25 on our regular meeting.

1 MR. DUPLESSIS:

2 The 19th?

3 MR. POTEET:

4 Yes, the 19th. Okay. The only thing we
5 have now left is the hearing. So I guess we need to
6 adjourn for a few minutes before we get started with
7 that.

8 MR. SMITH:

9 I make a motion to adjourn.

10 MR. TAYLOR:

11 I second.

12 MR. POTEET:

13 Meeting adjourned.

14

15 (Meeting adjourned at 10:10 a.m.)

16

17

18

19

20

21

22

23

24

25

REPORTER'S CERTIFICATE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I, BETTY D. GLISSMAN, Certified Court Reporter,
Certificate No. 86150, in and for the State of
Louisiana, do hereby certify that the Louisiana Used
Motor Vehicle Commission November 28, 2016, meeting
was reported by me in the stenotype reporting
method, was prepared and transcribed by me or under
my personal direction and supervision, and is a true
and correct transcript to the best of my ability and
understanding.

This November 30, 2016, Baton Rouge, Louisiana.

BETTY D. GLISSMAN, CCR
CERTIFIED COURT REPORTER