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LOUISIANA USED MOTOR VEHICLE COMMISSION

STATE OF LOUISIANA

REGULAR MEETING

JULY 15, 2013

BEGINNING AT 9:31 A.M.

3132 VALLEY CREEK

BATON ROUGE, LOUISIANA

REPORTED BY:

BETTY D. GLISSMAN, CCR

1 APPEARANCES:

2

3 COMMISSIONERS PRESENT:

4 MR. GEORGE BREWER

5 MR. TONY CORMIER (arrived late)

6 MR. RON DUPLESSIS

7 MR. GEORGE FLOYD

8 MR. KIRBY ROY

9 MR. HENRY "DARTY" SMITH

10 MR. DINO TAYLOR

11

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15 REPRESENTING THE LOUISIANA USED MOTOR
16 VEHICLE COMMISSION:

17 ROBERT W. HALLACK, ESQUIRE
18 HALLACK LAW OFFICE
13007 JUSTICE AVENUE
BATON ROUGE, LOUISIANA 70816

19 SHERI MORRIS, ESQUIRE
20 ROEDEL, PARSONS, KOCH, BLACHE,
BALHOFF & McCOLLISTER
8440 JEFFERSON HIGHWAY, SUITE 301
21 BATON ROUGE, LOUISIANA 70809

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ALSO PRESENT:

MS. KIM BARON

MR. DEREK PARNELL

MS. MONA ANDERSON

MS. TONYA BURKS

MS. ANGELA KIRBY

1 MR. DUPLESSIS:

2 I need to call the meeting to
3 order, please. Let's see. I guess we'll
4 start with the Pledge. Let's stand.

5 (PLEDGE OF ALLEGIANCE)

6 MR. DUPLESSIS:

7 Roll call.

8 MS. BARON:

9 John Poteet?

10 MR. POTEET:

11 (No response.)

12 MS. BARON:

13 George Brewer?

14 MR. BREWER:

15 Here.

16 MS. BARON:

17 Dino Taylor?

18 MR. TAYLOR:

19 Here.

20 MS. BARON:

21 Tony Cormier?

22 MR. CORMIER:

23 (No response.)

24 MS. BARON:

25 Ron Duplessis?

1 MR. DUPLESSIS:

2 Here.

3 MS. BARON:

4 George Floyd?

5 MR. FLOYD:

6 Here.

7 MS. BARON:

8 Kirby Roy?

9 MR. ROY:

10 Here.

11 MS. BARON:

12 Darty Smith?

13 MR. SMITH:

14 Here.

15 MS. BARON:

16 Mr. Duplessis, we have a

17 quorum.

18 MR. DUPLESSIS:

19 Thank you.

20 Do we have any public

21 comments today?

22 (No response.)

23 MR. DUPLESSIS:

24 Okay. We'll proceed. Do I

25 have a motion for the approval of the

1 minutes, please?

2 MR. BREWER:

3 I make a motion to approve
4 the minutes.

5 MR. SMITH:

6 I'll second.

7 MR. DUPLESSIS:

8 So moved.

9 (Tony Cormier enters the room.)

10 MR. DUPLESSIS:

11 Approval of the Compliance
12 Questionnaire of the audit.

13 Ms. Baron or Mona, who is --

14 MS. BARON:

15 That would be Mona.

16 MS. ANDERSON:

17 That would be me.

18 MR. DUPLESSIS:

19 All right.

20 MS. ANDERSON:

21 Let's go over the financial
22 statement. Do you want the compliance first .
23 or the financials?

24 MS. BARON:

25 The financials.

1 MR. DUPLESSIS:

2 The financials first.

3 MS. ANDERSON:

4 So we'll go over the
5 financial statement for June 2013 in your
6 packet. If you turn to Page 1, the balance
7 sheet, the balance in the bank account as of
8 June 30th was \$1,344,551. Reviewing the
9 cash flow without the deferred revenue and
10 the current liabilities, there was an
11 approximate increase of \$200,000 in cash
12 over last year at this time. The accounts
13 receivable hearings and fines line item was
14 \$61,950. Under the asset -- the property
15 and equipment, equipment increased by about
16 \$19,000. That was for budgeted furniture
17 for the lobby and for offices. We obtained
18 furniture through the State contract and we
19 got a 62 and a half percent discount off of
20 retail on that furniture. So that was a
21 pretty good deal for that much furniture.
22 On the vehicles line item, we purchased a
23 2013 Dodge Avenger to replace a vehicle that
24 we were -- that the field investigators were
25 using to -- that was no longer operational,

1 and so that vehicle was not operational.

2 Current liabilities, as of
3 June 30, were \$47,271. And on Page 2, the
4 deferred revenues was roughly \$306,000. On
5 Page 3 is the revenue and expenditure
6 statement. The annual budget shown there
7 has been amended per the budget amendments
8 that were passed at the last meeting. And
9 about midway down the page, the year-to-date
10 revenues were \$1,141,931, which was down
11 about \$102,000 from last year. The fee
12 revenue was up \$36,898, but we had a lot of
13 hearing fines last year. So that part was
14 down about \$124,000. We had some big cases
15 last year that we completed. On the
16 expenditure side, year-to-date salaries and
17 related benefits were \$711,720 compared to
18 \$659,000 in 2012. The remainder of the
19 expenditures were down from -- decreased
20 from the prior year.

21 On Page 5 of this report, the
22 year-to-date expenses were \$931,662, which
23 is down about \$8,700 from last year. Net
24 loss for June was \$50,400, but our
25 year-to-date income was \$210,629 compared to

1 \$303,679 last year. And, of course, these
2 are unaudited figures. So we'll probably
3 have some accruals that will happen after we
4 go through the audit.

5 Okay. And turning on to the
6 next page, the revenue and expenditures
7 comparison, that shows you our revenue,
8 expenditures and fund balance compared to
9 last year by month. And the following page
10 is a graph of that. You can see our -- we
11 have a healthy fund balance. It went down a
12 little bit, but we're still ahead of last
13 year.

14 On Page 8, the accounts
15 receivable hearings, fines, we've had some
16 activity in there. The total was \$61,950.
17 The changes included -- we collected \$23,875
18 from Car Boyz and the -- and we charged
19 A-Plus Autoplex, L.L.C. \$500.

20 And on Page 9, the
21 certificate of deposit summary is unchanged
22 from the last report.

23 MR. DUPLESSIS:

24 Very good.

25 MS. ANDERSON:

1 Any questions?

2 MR. DUPLESSIS:

3 Questions for Mona?

4 (No response.)

5 MS. ANDERSON:

6 That concludes my report.

7 MR. DUPLESSIS:

8 We have to approve the
9 financials. Do I have a motion approve?

10 MR. SMITH:

11 I make a motion.

12 MR. DUPLESSIS:

13 So moved.

14 MR. CORMIER:

15 Second.

16 MR. DUPLESSIS:

17 Any objection?

18 (No response.)

19 MR. DUPLESSIS:

20 Passed. Very good.

21 Let's see. We also have the
22 compliance questionnaire.

23 MS. ANDERSON:

24 Okay. In your packets is a
25 copy of the compliance questionnaire, which

1 is a requirement for our audit. So if you
2 want to take a few minutes to review that,
3 we need to have that approved so that
4 Chairman Poteet and Derek and I can sign off
5 on that. Basically, that's our statement to
6 the auditor that we've complied with the
7 laws, rules and regulations that govern our
8 finances.

9 MR. DUPLESSIS:

10 Any questions?

11 (No response.)

12 MR. DUPLESSIS:

13 Okay. Motion to accept?

14 MR. CORMIER:

15 I make a motion to accept.

16 MR. DUPLESSIS:

17 So moved.

18 MR. SMITH:

19 I'll second.

20 MR. DUPLESSIS:

21 Second.

22 Any objection?

23 (No response.)

24 MR. DUPLESSIS:

25 Mona, thank you.

1 Legal matters and pending
2 litigation. Is that Sheri or is that
3 Robert?

4 MS. MORRIS:

5 I have this one. This case,
6 Hord versus State of Louisiana, is an old
7 case that Terry Irby was handling through
8 the Office of Risk Management and his
9 contract expired and it wasn't reassigned, I
10 think because Risk Management kind of
11 reorganized how they were handling cases,
12 but we kind of went through the paperwork
13 and it was still pending, but there hadn't
14 been any activity in the case in three
15 years. So I filed a motion to dismiss it.
16 The court dismissed it at the cost of the
17 plaintiff. So it's gone and I reported that
18 to Risk Management so they can take it off
19 of the Commission's history when calculating
20 our cases.

21 MR. DUPLESSIS:

22 Very good. I take it that's
23 all legal matters.

24 Robert, any update on
25 anything?

1 MR. HALLACK:

2 No. We're just waiting on
3 Value Imports. That's the only thing that
4 we're waiting on.

5 MR. DUPLESSIS:

6 Excellent.

7 Derek.

8 MR. PARNELL:

9 All right. Review of
10 complaint totals, if you turn with me in
11 your packets, the first document, which is
12 the alleged issue counts. For the month of
13 June, we had 94 alleged issues. The largest
14 was refunds, as it typically always is.
15 Your next document is the case report. It
16 illustrates the number of cases that were
17 assigned in the month of June. In the month
18 of June, there were 67 cases assigned. Ten
19 of those cases were completed, which there
20 is remaining -- 57 of those cases still
21 remain open. The department summary report
22 shows you the total number of cases that
23 were closed in the month of June. You see
24 that -- you'll see 101 cases were closed in
25 the month of June.

1 The next item on there,
2 Executive Director's report, is just general
3 information I kind of want to let you all
4 know what's going on. I did speak with
5 Holly Robinson, who is the assistant to the
6 Board Commission's Director, about our
7 replacing a Commissioner. I was informed
8 that the Director, Kendal Melvin of the
9 Board of Commissions with the Office of the
10 Governor, she resigned shortly after the
11 2013 legislative session, which means we
12 will not get a replacement until the
13 Governor has replaced the Director of that
14 position. So I don't know how far out that
15 will be. They can't really give me any kind
16 of finalized information on when that will
17 be. So once the Governor appoints a new
18 Director of Board of Commissions, I'll then
19 try to get a meeting with him, so we can go
20 ahead and get a replacement Commissioner.
21 As you recall, there are two positions on
22 the Board that we don't have anymore.

23 With that said -- and this is
24 something that I kind of spoke with
25 Commissioner Poteet about. You know, since

1 Doug Turner resigned, we no longer have a
2 Finance Chair on our commission. I spoke
3 with Chairman Poteet and I asked him did we
4 want to appoint anyone, but he told me what
5 I could do is poll all the Commissioners and
6 see who wants to do it. If you do want to
7 do it, please send me an e-mail and let
8 Chairman Poteet -- let him know as well and
9 we'll go from there.

10 We've been meeting with our
11 licensing company -- different licensing
12 companies, because as we talked about in the
13 past, you know, CAVU licensing is not the
14 direction we want for the future of this
15 Commission. We've been meeting with two
16 companies, Geo Solutions and another
17 company, Technology Engineers. We're just
18 trying to meet with them to find out, you
19 know, what will be a better fit for our
20 Commission moving forward for our licensing
21 product. I will definitely keep you posted
22 on that as we're going forward.

23 What I want to do is
24 introduce our newest full time compliance
25 investigator, Ms. Angela Kirby.

1 MS. KIRBY:

2 Hello, everyone.

3 MR. PARNELL:

4 She'll be working in District
5 4, the Baton Rouge area. She will assist as
6 well in District 3, which is the Lake
7 Charles/Lafayette area. Prior to coming
8 here, Angela worked five years with Office
9 of Motor Vehicles and six years -- most
10 recently, she's worked six years as a
11 compliance investigator with the Real Estate
12 Commission. During our interviews, Angela
13 -- she stood out because of her Motor
14 Vehicle and overall investigation
15 background. You know, most of what they do
16 at the Real Estate Commission is kind of --
17 almost mirrors exactly what we do here and
18 how we do our investigations. She will be
19 training starting today, tomorrow, for the
20 rest of this week. I'll have her ride with
21 Ronnie. She'll be here doing a seminar
22 tomorrow. She'll be riding with Ronnie on
23 Wednesday and I'll have her ride with -- in
24 New Orleans with Stacy.

25 Do you want to say anything,

1 Angela?

2 MS. KIRBY:

3 I just want to say I'm
4 excited to come on board and ready to go to
5 work and, hopefully, bring you guys some
6 hearings. Of course, we want them to
7 comply.

8 MR. PARNELL:

9 She also worked with CAVU,
10 too. So our licensing is similar.

11 MS. KIRBY:

12 Very similar.

13 MR. PARNELL:

14 It's very familiar to her.
15 So I just want to welcome her aboard and,
16 hopefully, we'll be able to get another
17 investigator in the near future.

18 All right. Thank you.

19 MS. KIRBY:

20 Thank you.

21 MR. PARNELL:

22 We have been making a lot of
23 building improvements. If you'll notice,
24 our power washing, painting, replacement of
25 the rain gutters and all of that is

1 completed. Mona did kind of mention about
2 new office furniture in the four offices and
3 the lobby area. She'll be able to give our
4 older furniture to surplus and that should
5 happen around the beginning of August or so
6 when we'll have our new information in the
7 next -- the new furniture in, I should say.

8 The next project, as I stated
9 before, we want to replace our signage on
10 our building. We'll start working that
11 going back through again and interviewing
12 some companies to see which ones we would
13 like to move forward with, because our
14 street signage is horrible and we want to
15 put some signage on the building and some
16 lettering on the building, Louisiana Used
17 Motor Vehicle Commission on the building.
18 So we will be doing that this fiscal year.
19 So that ends everything in my Executive
20 Director's report.

21 Any questions or comments,
22 please?

23 MR. DUPLESSIS:

24 Anyone interested in the
25 Finance Chair? The pay is excellent.

1 (No response.)

2 MR. DUPLESSIS:

3 Okay. Well, I guess you'll
4 get it in a secret e-mail.

5 Thank you. I guess that
6 completes your report. We'll move on.

7 My favorite part,
8 ratifications of the license revocations.

9 MR. HALLACK:

10 Why don't we do this, why
11 don't we close out this meeting, have a
12 motion to adjourn this meeting, so Betty
13 doesn't take down all of that stuff.

14 MR. SMITH:

15 I make a motion to adjourn.

16 MR. DUPLESSIS:

17 So moved.

18 MR. CORMIER:

19 Second.

20 MR. DUPLESSIS:

21 Okay. We're done. Thank
22 you.

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(Meeting adjourned at 9:46 a.m.)

REPORTER'S CERTIFICATE

1
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 July 15 meeting was
8 reported by me in the stenotype reporting
9 method, was prepared and transcribed by me
10 or under my personal direction and
11 supervision, and is a true and correct
12 transcript to the best of my ability and
13 understanding.

14 This July 18, 2013, Baton Rouge,
15 Louisiana.

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17
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19
20
21
22
23 _____
24 BETTY D. GLISSMAN, CCR
25 CERTIFIED COURT REPORTER

Betty D. Glissman, CCR