

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

LOUISIANA USED MOTOR VEHICLE COMMISSION
STATE OF LOUISIANA

REGULAR MEETING
JANUARY 27, 2014
BEGINNING AT 9:30 A.M.

3132 VALLEY CREEK
BATON ROUGE, LOUISIANA

REPORTED BY:
BETTY D. GLISSMAN, CCR

1 APPEARANCES:

2

3 CHAIRMAN:

4 MR. JOHN POTEET

5

6 COMMISSIONERS PRESENT:

7 MR. GEORGE BREWER

8 MR. RON DUPLESSIS

9 MR. GEORGE FLOYD

10 MR. KIRBY ROY

11 MR. HENRY "DARTY" SMITH

12 MR. DINO TAYLOR

13

14

15

16

17 REPRESENTING THE LOUISIANA USED MOTOR
18 VEHICLE COMMISSION:

19

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

20

21

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

22

23

24

25

26

1 ALSO PRESENT:

2

3 MS. KIM BARON

4

MR. DEREK PARNELL

5

MS. MONA ANDERSON

6

MS. TONYA BURKS

7

MR. ROBERT BURNS

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 (Pledge of Allegiance.)
2 MS. BARON:
3 John Poteet?
4 MR. POTEET:
5 Here.
6 MS. BARON:
7 George Brewer?
8 MR. BREWER:
9 Here.
10 MS. BARON:
11 Dino Taylor?
12 MR. TAYLOR:
13 Here.
14 MS. BARON:
15 Tony Cormier?
16 MR. CORMIER:
17 (No response.)
18 MS. BARON:
19 Ron Duplessis?
20 MR. DUPLESSIS:
21 Here.
22 MS. BARON:
23 George Floyd?
24 MR. FLOYD:
25 Here.

1 MS. BARON:

2 Kirby Roy?

3 MR. ROY:

4 Here.

5 MS. BARON:

6 And Darty Smith?

7 MR. SMITH:

8 Here.

9 MS. BARON:

10 Mr. Chairman, we have a quorum.

11 MR. POTEET:

12 Good. Anyone here for public
13 comments?

14 MS. BARON:

15 No, sir.

16 MR. POTEET:

17 All right. Items for discussion.
18 We need a motion to approve the minutes from
19 the previous meeting.

20 MR. SMITH:

21 I make a motion.

22 MR. BREWER:

23 Second.

24 MR. POTEET:

25 A motion by Darty and George

1 seconded.

2 All in favor, say "Aye."

3 (All "Aye" responses.)

4 MR. POTEET:

5 Any opposed?

6 (No response.)

7 MR. POTEET:

8 All right. So we'll move on to
9 the financial matters. Mona, are you ready?

10 MS. ANDERSON:

11 Yes, sir, of course. If you'll
12 turn to your financial statements in your
13 packet, the first on Page 1 is the statement
14 of net position. For the month ending
15 December 31st, our bank increased to
16 \$1,518,761, which was a \$139,000 increase
17 over November and an \$80,000 increase over
18 December of last year. The hearings and
19 fines balance was \$59,500 at the end of
20 December. Current liabilities at the bottom
21 of the page were \$30,154.

22 On Page 2, the deferred 2015
23 in-flows are increasing to -- it's now
24 \$198,900 and we're continuing to move the
25 2014 deferred in-flows into the revenue and

1 expenditure statement.

2 On Page 3, the revenue expenses
3 and changes in net position report, in the
4 middle of the page, our year-to-date
5 revenues at the end of December were
6 \$757,725 compared to \$785,214 last year.
7 The fee revenue was about the same, but as
8 we had said in previous meetings, the
9 hearings and fines was a little lower. We
10 had larger fines last year.

11 Under the salaries and related
12 benefits, increased by \$46,000 from last
13 year. The remainder of the expenses
14 decreased. So the total year to date
15 increase was \$41,000. In December, we had
16 -- under maintenance/other, we had expenses
17 -- for the replacement of the air handling
18 unit in the front office was \$3,200.

19 On Page 5, middle of the page,
20 our year-to-date change in net position was
21 \$268,594, and that's again reflected on Page
22 6 on the -- that report, and Page -- on Page
23 7 are the charts of that report. You can
24 see there's, as I said, a significant
25 increase in our year to date total net

1 position. It's that top line there.

2 And on Page 8, the fee revenue,
3 the largest part being our UD and SM
4 licenses for our renewal year for the
5 increase.

6 On Page 9, the certificate of
7 deposit report, the two Concordia Bank CDs
8 matured on January 3rd and the rate dropped
9 from .55 to .334. On Page 10 for the
10 hearings and fines, our total at the end of
11 the month was \$59,500. We added two fines
12 there for \$250 each and -- for Ray's Auto
13 Sales and Tommy's Wholesale Auto, and we
14 collected \$250 from M&M.

15 And unless there are any
16 questions, that concludes my report.

17 MR. TAYLOR:

18 How much uncollected or how many
19 are -- we discussed it Thursday -- how many
20 more dealers do we anticipate we have out
21 there that haven't renewed, how much more
22 revenue do we think can possibly be coming?

23 MS. ANDERSON:

24 The last report that I ran, it
25 was about \$138,000 in just dealer licenses,

1 not salesmen and -- well, I take that back,
2 dealer licenses, and we calculated one
3 salesman for each of those. So it could be
4 different than that, but we're going to be
5 contacting -- updating that report as we
6 receive fees and contacting those people to
7 -- I think Derek said we were going to do an
8 e-mail. We sent one e-mail. We're going to
9 send another one, and then start contacting
10 them by phone just in case there's somebody
11 that needs to renew that didn't and/or if
12 they went out of business. Then, we need to
13 reflect that on their license.

14 MR. TAYLOR:

15 Thank you.

16 MS. ANDERSON:

17 But if we collect at least
18 \$100,000 of that, we should be in good line
19 with our budget and our last year's revenue.

20 MR. POTEET:

21 I will say that at the auction
22 every year, it gets a lot better, because,
23 you know, at the beginning of the year, we
24 are always trying to make sure everybody has
25 their licenses, because they -- those of you

1 that go to auctions know you have an Auction
2 Access card and Auction Access is the
3 company in Birmingham, and if they don't
4 have their license updated, they will shut
5 you down, and we've had minimal impact this
6 year. I mean, it's been almost like, you
7 know, maybe one or two that come in and it's
8 been a lot easier. So we've made
9 significant improvements. And, you know,
10 I'm sure inside -- in the accounting world,
11 you see the improvements of the way we are
12 doing things, but probably outside of that,
13 the best place to see it is at an auction,
14 because the first three -- two, three, four
15 weeks of the year is always just -- it's a
16 hassle with that.

17 MS. ANDERSON:

18 And we just want to tie down all
19 of those loose ends with that, have a method
20 to track those dealers that have not renewed
21 each year.

22 MR. POTEET:

23 Okay. Does anybody else have any
24 questions for Mona?

25 (No response.)

1 MR. POTEET:

2 All right. Then, we need a
3 motion to approve the financial statement.

4 MR. ROY:

5 I move.

6 MR. SMITH:

7 Second.

8 MR. POTEET:

9 Kirby, second from Darty.

10 All in favor, say "Aye."

11 (All "Aye" responses.)

12 MR. POTEET:

13 Any opposed?

14 (No response.)

15 MR. POTEET:

16 All right. The next thing we
17 have, Derek, discussion with Jeff Henderson.

18 MR. PARNELL:

19 On January 16th of 2014, myself,
20 Counsel Hallack and Kim met with Jeff
21 Henderson of the Auctioneer Licensing Board,
22 and Mr. Henderson holds an LUMVC auction
23 license with us and now he serves on the
24 Auctioneer Licensing Board. He was just
25 asking us to be sure that we can continue to

1 work together and to make sure that we can
2 clear the air, that there's not any
3 discrepancies between the two Boards. We
4 just want to make sure we're working
5 together moving forward, making sure that,
6 you know, once we get -- we want to have
7 another meeting with him to kind of sit
8 down, and I think their attorney, to kind of
9 sit down and make sure that we're both
10 operating together and make sure that we're
11 not crossing any paths anywhere as it
12 relates to the auction licenses, also just
13 for them to get a little bit more clarity on
14 exactly what we're auctioning -- what we're
15 requiring as -- for an auction license and
16 what they're requiring. So within the next
17 couple of weeks or so, I think we'll try to
18 have a meeting. We wanted to have it prior
19 to this meeting, but we weren't able to
20 coordinate that. So in the next couple of
21 weeks, we're going to try to meet with them
22 and just try to get on the same page and
23 make sure that we're moving forward, we're
24 not having any issues going forward in this
25 session.

1 MR. POTEET:

2 I have a question. Why was Jeff
3 Henderson the person who represented the
4 Board?

5 MR. PARNELL:

6 From what I understand, he is the
7 on the Board now.

8 MR. POTEET:

9 He has both licenses?

10 MR. PARNELL:

11 Yes.

12 MR. POTEET:

13 Kind of like me.

14 MR. PARNELL:

15 Yes. He's on the Board now.
16 He's a Board member and I think he spoke
17 with their attorney. They both were going
18 to come. I had Robert come, because I
19 didn't know where that discussion was going
20 to go.

21 MR. POTEET:

22 Somebody brings their attorney,
23 you have to have your attorney.

24 MR. PARNELL:

25 You know, I didn't know where it

1 was going to go. So I had Robert present,
2 but he came by himself. He didn't come with
3 Ms. Dow. So it was just kind of an informal
4 thing. He was just letting us know that,
5 you know, they really want to work with us
6 moving forward.

7 MR. POTEET:

8 Is he a new Board member?

9 MR. PARNELL:

10 I think he is, yes.

11 MR. POTEET:

12 Okay. When is the next meeting
13 going to be?

14 MR. PARNELL:

15 Within the next couple of weeks
16 or so. The next two weeks, I'm going to try
17 to schedule something with him.

18 MR. POTEET:

19 Let me know. I would like to --

20 MR. PARNELL:

21 Okay.

22 MR. POTEET:

23 -- I would like to be in on that.
24 That would be great.

25 MR. PARNELL:

1 We will do that.

2 MR. POTEET:

3 Okay. So that sounds pretty
4 positive. Okay.

5 Now our other meeting, Dino and I
6 attended this meeting, but we're going to
7 let you talk about it.

8 MR. PARNELL:

9 On the 14th of January, Chairman
10 Poteet, Commissioner Taylor, Counsel Morris,
11 and I, we went and met with the Motor
12 Vehicle Commission. This was a meeting that
13 we had been trying to schedule for a couple
14 of months now, maybe about two months or so,
15 I'm not going to extend it out there. It
16 was kind of so we can get a little bit more
17 clarity as it relates to the Motor Vehicle
18 Sales Finance Act. We know in the northern
19 part of the state, one of their
20 investigators was going out there hammering
21 a lot of our dealers quite a bit. We spoke
22 with Lessie. I think Commissioner Duplessis
23 spoke with her as well, probably about a
24 month or so ago, and she kind of had her
25 investigator kind of back off a little bit

1 until we -- as both Commissions try to work
2 out the issues that we were having. One of
3 the main concerns was that we have a lot of
4 motor vehicle -- a lot of our dealers --
5 once we -- excuse me, let me go back. Once
6 we clearly defined through them what
7 origination of the loan meant, we kind of
8 had a better understanding about the amount
9 of dealers that we had out there that are
10 actually originating loans. So we -- once
11 we did meet with them, there was a proposal
12 that Commission Taylor kind of brought for
13 the New Car Commission, and Commissioner
14 Taylor would like to go into detail of kind
15 of what that proposal was, so that everybody
16 can understand it.

17 MR. TAYLOR:

18 They were a little cold in the
19 beginning when we announced it, but they got
20 very soft by the end of it, I think. But
21 long story short, I proposed that they
22 outsource the enforcement of the Motor
23 Vehicle Sales Act to us. And, you know, in
24 talking to them, all of the concerns that we
25 thought that they might have, the

1 advertising -- you know, of course, when the
2 advertisement was mentioned, Ray, he started
3 twitching pretty good, but when they found
4 out that we weren't trying -- to not mess
5 with it, when they found out that we were
6 trying to actually enforce this Motor
7 Vehicle Sales Act, they actually -- I think
8 they became pretty open to the idea of
9 outsourcing it to our field investigators.
10 That's how I felt.

11 I also asked for half of the
12 revenue, you know, because there's going to
13 be a significant amount of revenue, and I
14 think they're studying it. They may go over
15 it in their meeting in March. I kind of
16 proposed the fact that we would go out there
17 and would slowly ease into it with education
18 and start enforcing them buying the license
19 after we give them the opportunity to study
20 -- after we give them the opportunity to
21 read the literature that we give them, and
22 then us going there and making sure these
23 dealers have a license. We would only write
24 warnings or something I said and if we had
25 to have a citation written, I said we would

1 call in -- in my part of the state our field
2 investigator, our New Car Commission field
3 investigator, they would come in and they
4 would write it, because they would have to
5 deal with the -- you know, with the citation
6 in their office, not our office.

7 MR. POTEET:

8 If there's a hearing?

9 MR. TAYLOR:

10 If there's a hearing or something
11 of that nature. They did not realize the
12 amount of dealers that they were just --
13 that they were going to have, and I think we
14 estimated somewhere low end 1,200 more, and
15 high end, you know, 1,800 more, something
16 like that, just guessing, because I think
17 we've decided that just pulling credit is
18 originating a loan.

19 Is that kind of what -- how we
20 defined it?

21 MR. PARNELL:

22 Well --

23 MR. TAYLOR:

24 That would be the most minimal --

25 MR. PARNELL:

1 -- from what -- that document
2 that they brought to us, that memo they
3 brought us to that was written in 2007, that
4 origination was any time that you're doing
5 any paperwork in your office, whether it be
6 just filling out the application, that's
7 considered origination of a loan. And so
8 that's pretty much -- yes, everything --
9 that all comes with that, the beginning
10 aspects of that loan process was originating
11 it.

12 MR. TAYLOR:

13 So anybody that has agreement
14 with a credit union, with an indirect
15 lender, with anybody, to pull that credit,
16 to pull that app, they're going to fall in
17 under this is originating a loan.

18 Another argument we gave them is
19 that we didn't need another governing body
20 to come in here, we would have the CF&B come
21 in. You know, every year, it's more and
22 more and more, and I'm not saying that
23 they're going to do it, but they were --
24 seemed pretty open, you know. I keep
25 looking at you, because you know a lot of

1 those guys, and so -- but, I honestly think
2 our field investigators can handle it. I
3 think we can enforce it, and if they didn't
4 like it, in six or eight months, I would
5 recommend to them that they fire us. You
6 know, they don't have a lot to lose except
7 half of their revenue, but, anyway --

8 MR. POTEET:

9 That's true, but they also -- you
10 know, when they realize that they've got to
11 add on 1,200, 1,800 more dealers to regulate
12 and visit and things like that, you know, I
13 think that they're open to certainly some
14 kind of a compromise.

15 MR. TAYLOR:

16 I think so.

17 MR. POTEET:

18 I thought Mr. Brandt was pretty
19 open to everything. It did seem like at the
20 beginning, they were a little bit --

21 MR. TAYLOR:

22 They were. They softened by the
23 end of the meeting. They really did. They
24 -- and if any -- I think their next meeting
25 is in March; is that correct? If they would

1 like us to be there, if you get any word of
2 that, you know, we can surely clean this up
3 and sharpen up a real plan to sit and
4 present to them in front of their full Board
5 if that would be beneficial to them, instead
6 of just be all over the place here. You
7 know, we can actually get it on paper and
8 tell them our exact plan. I have concerns
9 that if they start governing or if they
10 start really, really putting their hands in
11 our dealers -- we talked on the way down
12 there that that Motor Vehicle Sales Act can
13 really get into a lot more places than just
14 advertising, just the financing. I mean,
15 you can pull it back to that financing just
16 any way you look at it, you know, and really
17 it makes me concerned how much they would
18 need us if they get their feet all the way
19 in there, you know. So there you go.

20 MR. POTEET:

21 Ron, do you have comments on
22 that?

23 MR. TAYLOR:

24 I keep looking at you for
25 comments, Ron.

1 MR. DUPLESSIS:

2 You have a whole new -- you've
3 got a whole new Motor Vehicle Commission
4 since the acquisition of the motor sports
5 companies, and that Board has been a little
6 contentious. It's kind of gotten watered
7 down a little bit. Let me just tell you
8 what I see, just history, knowing all of the
9 players. Are they the root of all evil?
10 No.

11 Number one, I think they have a
12 moral obligation to clearly state to our
13 dealers what they expect of them, and I mean
14 the used car dealers. We have a void in the
15 used car industry that's significantly
16 different. In the new car industry, you
17 have two or three. Number one, you don't
18 have an independent used car association as
19 strong as LADA. LADA hires lawyers and they
20 legislate your spot deliveries. They -- and
21 we had a conflict, because I was on that
22 team and I think Sheri did some work there,
23 too, in conflict of state law and federal
24 law. We have to make sure our dealers -- we
25 have an obligation to make sure they clearly

1 know what spot delivery five day, 10 day
2 tags are, so they don't get into trouble and
3 it all goes back to finance. And, excuse
4 me, anyway, that is all violations of TILA
5 and of Regulation M and Regulation Z.

6 So I think that we need to do
7 some education for our guys, let them know
8 it's clear. LAIDA is their body. So
9 they're going to have an obligation to help
10 their dealers. LUMVC really doesn't have an
11 obligation except to the consumer. So I
12 think we need to really get a jump on this
13 and get a head start. I think we need to go
14 ahead and write a clear agency agreement
15 proposal, present it to them, and then we
16 can massage it, so they have something to
17 know our position in writing. I think we
18 have to start working on our website and we
19 have to clearly make sure what our folks are
20 obligated to do. If this was a guise to get
21 into the advertisement, is to regulate that,
22 which you can probably imagine there may be
23 an underlying undertone, too. You know,
24 basically, I've looked at it and my problem
25 is, is with used dealers, you don't have a

1 proprietary GMAC or Ford Motor Credit or
2 TMACC, you don't have buy down points. You
3 don't have all the things that add up to
4 dealers having confusion on this
5 advertising. They're trying to originate
6 loans. In my opinion, if you take credit,
7 you're originating a loan. It falls back
8 to, you know, what their obligations are.

9 So I think we need to start
10 before March, because the session is the 7th
11 of March, I believe, or the first week in
12 March. It starts -- pre-filing is 30 days
13 ahead. So we need legislation and also we
14 need to clear up that 12/25 car thing. That
15 just needs to go away. And we just need to
16 define what the obligation is and that would
17 be, for instance, taking credit
18 applications, originating loans, and forget
19 that minimum threshold for everybody,
20 because that confuses a lot of people. That
21 just needs to go.

22 So I think we jump on it early.
23 I don't think it's the root of all evil. I
24 think they have some concerns, but, you
25 know, as far as advertising, they're going

1 to have to give us a proposal. So I don't
2 know if they want -- other than what the
3 Attorney General, for truth in lending is,
4 truth in advertising, that's the only thing
5 that I see. And, basically, if it's not
6 true, then it's false, and you're guilty.

7 So if you can finance at 2.9
8 percent or you get that disclosure on a buy
9 down rate, that might be valid, but we're
10 not used car -- new car dealers. We don't
11 have those obligations, thresholds, and
12 standards. That's for them to write
13 something that we would have to interpret
14 and I don't see basically anything other
15 than federal guidelines. So that's kind of
16 -- I think they will work with you on it,
17 because they don't want to get in a pissing
18 match with another agency right now. Nobody
19 wants to do that. You have smart people.
20 So -- and that's what basically your ATV
21 dealers are dealing with, kind of similar
22 financing to what we have, because they go
23 through GE Capital for the most part, and
24 they're not buying down rates and that's a
25 different deal. So that's kind of what I

1 see.

2 MR. POTEET:

3 Thank you.

4 Did you have any comments?

5 MS. MORRIS:

6 No. I think it's all covered.

7 MR. POTEET:

8 Okay. So we are -- I guess we
9 are ready for the Executive Director's
10 report.

11 MR. PARNELL:

12 I have a review of compliance
13 investigation and complaint totals.
14 Commission, I just want you to be advised
15 that we posted for the additional compliance
16 Investigator 3 position to handle District
17 3. District 3 is Lafayette, Lake Charles
18 area. The position did post for seven days
19 and we have received a listing of the
20 persons that have applied for that position.
21 I've kind of been going through the resumé
22 and kind of looking at some people that we
23 want to try to get in to start the
24 interviewing process. I didn't get as many
25 persons as I would have liked to have

1 gotten. Of the -- on the list, I got 26
2 total that applied for the position and many
3 of those persons, I won't be able to use,
4 because they're domiciled outside of that
5 area. The persons that -- I need someone
6 that's domiciled in the Lake Charles,
7 Lafayette area that fits within that Direct
8 3, because once we assign them the vehicle,
9 they will have to -- they will be able to
10 keep that vehicle domiciled at their home.
11 If I have someone outside of their area, the
12 vehicle would have to stay here and they
13 would have to drive here every morning and
14 drive all the way out there, which is not
15 something that I want to do. So with that
16 said, about half of those -- I have probably
17 about 12 persons on that list of 26 that --
18 a little bit less than half on that list
19 that actually fit that criteria that I'm
20 looking for. We wanted to post it that way,
21 but when we were trying to do that through
22 Civil Service, they were having some
23 difficulties doing that. So we just put out
24 there the parishes that we wanted someone to
25 be domiciled in. And so they went ahead and

1 put that on there -- on the job posting.
2 Initially, they didn't really want to do
3 that in the beginning. But I will be --
4 within the next couple of weeks or so, I
5 will start the interviewing process. If I
6 start interviewing and I'm not seeing
7 something that I really think is going
8 benefit us out there in the field, I'll post
9 it again and try to find out if there are
10 any other avenues I can use as far as
11 posting. I don't think that there is,
12 because going through Civil Service, it is a
13 Civil Service position and everything
14 typically has to go through them.

15 So with that said, the next
16 couple weeks, I will begin that interviewing
17 process. With our investigators currently,
18 we kind of had a meeting with them, with
19 Kim, the enforcement staff, which is Kim,
20 Tonya and I and our field investigators just
21 to go through a lot of the different
22 procedures to make sure that we're all on
23 the same page, making sure that we are being
24 more aggressive as it relates to writing --
25 as it relates to our work we do in the

1 field, investigations, audits and writing
2 violations. We allow them to use a lot of
3 their professional judgment as it relates to
4 writing violations, but in many instances, I
5 have informed them that if they're violating
6 the statute, go ahead and write a violation
7 on it. Whereas, some of our investigators
8 kind of weren't doing that all the time.
9 They kind of were allowing them -- you know,
10 they kind of did warnings more than I would
11 like to see happen, but things have changed
12 a great deal within the past couple of years
13 or so. So I think a lot of our dealers now
14 are starting to understand that we're being
15 much more proactive than we were in the
16 past. We're still operating kind of
17 reactively, because we don't have enough
18 staff to really be out there and be a force
19 out there in the community for our dealers
20 to understand what they should and should
21 not be doing correctly, also, for our
22 consumers, if they do need some help, who to
23 contact.

24 I think there are a couple of
25 numbers -- every month I have them just go

1 through and let me know exactly what they've
2 done for the month. So for the month of
3 December, the five day notices that were
4 issued, there were four. There were 21
5 physical inspections done, 25 assisted
6 titles to be delivered to consumer. There
7 were 82 site visits, eight compliance
8 meetings. Seven audits are currently being
9 conducted. Six violations were issued. Two
10 cease and desist documents were hand
11 delivered to dealers, and monies returned to
12 consumer were \$4,625.

13 If you turn with me in your
14 packet, I have our normal documents in there
15 that you can look at. The alleged issue
16 counts, there were a total of 88 alleged
17 issues for the month of December. The case
18 report, the number of cases assigned for the
19 month, there were 69 cases assigned in
20 December. Seven cases have been completed.
21 Sixty-two cases remain open. Also, there
22 were 29 cases closed for the month of
23 December. That kind of concludes about the
24 field compliance investigation and general
25 information.

1 I have spoken with our -- there
2 was an Assistant Director Board Commission
3 that I was working with. She's no longer
4 there at the Governor's Office. So I did
5 speak with the new Director. I put a call
6 into him last week and I did get a chance to
7 speak with him this morning. His name is
8 Barker Dirmann. He was with the Governor's
9 Office around 2006, 2008, during that time
10 frame, he left and went into the private
11 sector and he has come back now. He's been
12 in the Director role for about two weeks or
13 so.

14 So with that said, I kind of
15 talked to him about where we were and what's
16 been happening with our Commission. You
17 know, we've been out of two commissioners
18 for quite sometime now. One has been a
19 little bit over a year. They weren't really
20 making any appointments that much during
21 that interim time when the Assistant
22 Director was there. Now that he's there, he
23 assured me that he's going to try to work a
24 little bit harder to make sure that we do
25 get our appointments done.

1 I mentioned to him that I did
2 know that we had one appointment that was on
3 the Governor's desk probably about two
4 months ago and I haven't heard anything back
5 from that. He said before he came in that
6 there were some things -- some items out
7 there that he wants to try to clean up. I'm
8 trying to get a meeting with him either this
9 week or next week, so we can sit down and --
10 you know, so I can meet him, you know, just
11 get to know him a little bit better and find
12 out exactly what must I do differently or if
13 I need to do something differently to try to
14 push through these appointments on our
15 Board. If -- I think just to sit down would
16 probably help a great deal. During that
17 time, it was very hard to get that. The
18 Assistant Director, she really couldn't do
19 anything. So -- and then she left.

20 MS. BARON:

21 Have you seen this?

22 MR. PARNELL:

23 What's that?

24 MS. BARON:

25 It's from Barker Dirmann.

1 MR. PARNELL:

2 Yes.

3 MS. BARON:

4 And it says, this was the only
5 e-mail I could find, so I hope you will see
6 it before the meeting and it does not look
7 like any progress has been made on filling
8 the vacancy left by Mr. Bourgeois'
9 resignation, but I will be sure it's
10 addressed in a week. So he is the Director
11 of the boards and commission.

12 MR. PARNELL:

13 That's who I spoke with. I told
14 him to send me something this morning.

15 MS. BARON:

16 And he did. I'll forward that to
17 you.

18 MR. PARNELL:

19 That was all the general
20 information that I had for you.

21 Does anybody have any questions,
22 comments, or concerns?

23 MR. POTEET:

24 Anybody have anything?

25 (No response.)

1 MR. POTEET:

2 Okay. Moving on, committee
3 reports, discussion on the 2014 legislative
4 session.

5 MR. PARNELL:

6 Well, we do have our 2014
7 legislative meeting. It will be held later
8 on today after this Commission meeting. I
9 did speak with Representative Ed Price, who
10 sits on the Commerce Committee. He authored
11 our legislation last year, and it was a
12 great benefit to us being that he does sit
13 on the Commerce Committee. All of our --
14 everything that we propose will have to go
15 through the Commerce Committee, and he has
16 agreed to go ahead and author our
17 legislation this year. I told him that we
18 don't have all of our information ready
19 right now, but we're meeting today. He was
20 fine with that. I told him I don't think
21 it's going to -- that we're going to have
22 controversial issues. I think it's going to
23 be pretty smooth. Probably more than
24 anything, we're going to do a lot of clean
25 up language to make sure our facts are tight

1 and coherent, and he agreed to do that with
2 no problem.

3 MR. POTEET:

4 Ron, do you have anything?

5 MR. DUPLESSIS:

6 Very little. I think we have
7 just the New Car Commission thing to deal
8 with and probably some clean up.

9 Sheri and Robert, do you see
10 anything?

11 MR. HALLACK:

12 Just little things.

13 MR. DUPLESSIS:

14 Yes.

15 Sheri, anything out there on the
16 horizon?

17 MS. MORRIS:

18 No.

19 MR. POTEET:

20 What about the thing with the
21 Auctioneers Board, is that going to be
22 something --

23 MR. PARNELL:

24 I don't know. Yes, it's going to
25 be an internal thing. They kind of want to

1 meet outside of both Commission meetings
2 because of the taping that was taking place.
3 You know, he had kind of informed me -- he
4 kind of informed me that personnel was
5 taping it and kind of editing a lot of the
6 information and it was being sent out to us
7 so it kind of looked harsher than it was.
8 And so he wanted to kind of meet outside of
9 the Commission meeting. So it was kind of
10 internally get everything square away, so we
11 can move forward, and I asked him point
12 blank, are y'all trying to do any
13 legislation this year regarding that, and
14 they are not at all, you know, they are
15 trying to stay away from that.

16 MR. POTEET:

17 All right. The next thing on the
18 agenda are the ratifications of license
19 revocation. It look like you have two,
20 Derek.

21 MS. MORRIS:

22 You might just want to make sure
23 nobody is here for --

24 MR. POTEET:

25 Oh, that's right. That's right.

1 Cars, Inc., and Cousin's Auto Sales from
2 Baton Rouge.

3 MS. BARON:

4 No one.

5 MR. POTEET:

6 No one is here for either.

7 MR. PARNELL:

8 Well, please find in your packet
9 -- Commissioners, in your packet, there is a
10 chart that illustrates the dealers that have
11 been revoked. Each dealer has been given an
12 opportunity to come into compliance. I will
13 go through both of them and ask you at the
14 end to ratify it. Our first one there is
15 Cars, Inc. They're located at 2901 1/2
16 Kirkland Street in Lake Charles, Louisiana
17 70601. The license UD number is 242897.
18 This dealer was revoked on October 13th of
19 2013 because of expired insurance. A
20 suspension notice was sent on October 29th
21 of 2013. The final revocation notice was
22 sent on December 20th of 2013.

23 The second dealer that we're
24 looking at is Cousins, LLC. They're located
25 at 2226 North Sherwood Forest Boulevard,

1 Baton Rouge, Louisiana 70816. The license
2 UD number is 243897. This dealer was
3 revoked on October 8th of 2013 because of
4 insurance cancellation. The notice of
5 cancellation was received in our office,
6 LUMVC, our office on October 28th of 2013.
7 The suspension notice was sent on October
8 28th of 2013 and the final revocation notice
9 was December 27th of 2013. Commissioners, I
10 ask that you ratify the revocation of both
11 UD licenses and salesperson licenses for
12 Cars, Inc., and Cousins, LLC.

13 MR. POTEET:

14 Any discussion on these two
15 dealers; questions for Derek?

16 (No response.)

17 MR. POTEET:

18 All right. We need a motion.

19 MR. SMITH:

20 I make a motion.

21 MR. ROY:

22 Second.

23 MR. ROY:

24 Second Kirby.

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. Those revocations are
7 ratified.

8 Okay. Regarding future meetings,
9 when is our next meeting?

10 MS. BARON:

11 February 17th, I think.

12 MR. POTEET:

13 February 17th?

14 MS. BARON:

15 The 17th of February, which is
16 President's day but we don't get it off.

17 MR. POTEET:

18 You don't get that day off. So
19 that's -- because I will not be able to make
20 it the next week. For some reason, I had it
21 on my calendar for the next week. Okay.
22 I'll be here.

23 MR. HALLACK:

24 We should have a big hearing that
25 day.

1 MS. BARON:

2 Yes.

3 MR. POTEET:

4 All right. Well, are there any
5 items for the next agenda we need to
6 discuss? I think we have some things kind
7 of in process right now.

8 So we are going to adjourn this
9 meeting, and then start back up.

10 I propose that we adjourn.

11

12

13 (Meeting adjourned at 10:08 a.m.)

14

15

16

17

18

19

20

21

22

23

24

25

1 REPORTER'S CERTIFICATE

2
3 I, BETTY D. GLISSMAN, Certified Court
4 Reporter, Certificate No. 86150, in and for
5 the State of Louisiana, do hereby certify
6 that the Louisiana Used Motor Vehicle
7 Commission January 27 meeting was reported
8 by me in the stenotype reporting method, was
9 prepared and transcribed by me or under my
10 personal direction and supervision, and is a
11 true and correct transcript to the best of
12 my ability and understanding.

13 This February 3, 2014, Baton Rouge,
14 Louisiana.

15
16
17
18
19
20
21
22
23 _____
24 BETTY D. GLISSMAN, CCR
25 CERTIFIED COURT REPORTER

Betty D. Glissman, CCR