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LOUISIANA USED MOTOR VEHICLE COMMISSION
STATE OF LOUISIANA

REGULAR MEETING
JUNE 15, 2015
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. TONY CORMIER (Arrived Late)

8 MR. RON DUPLESSIS

9 MR. GEORGE FLOYD

10 MR. STEPHEN OLAVE

11 MR. KIRBY ROY (Arrived Late)

12 MR. HENRY "DARTY" SMITH

13 MR. DINO TAYLOR

14

15

16

17

18

19 REPRESENTING THE LOUISIANA USED MOTOR
20 VEHICLE COMMISSION:

20

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

23 SHERI MORRIS, ESQUIRE
24 ROEDEL, PARSONS, KOCH, BLACHE,
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 MS. MONA ANDERSON

6 MS. TONYA BURKS

7 MR. NESTOR GUILLORY

8 MR. DWAYNE TAMBLING

9 MR. SAMANTHA ROY

10 MR. GERARDO GALLARDO

11 MR. SOSA ORTIZ

12 MR. CARLOS LINARES

13 MR. PERRY J. MATTHEWS

14 MR. CLET JOEY DUPONT
15
16
17
18
19
20
21
22
23
24
25

1 (Pledge of Allegiance)

2 MR. POTEET:

3 Kim.

4 MS. BARON:

5 John Poteet?

6 MR. POTEET:

7 Here.

8 MS. BARON:

9 George Brewer?

10 MR. BREWER:

11 (No response).

12 MS. BARON:

13 Dino Taylor?

14 MR. TAYLOR:

15 Here.

16 MS. BARON:

17 Tony Cormier?

18 MR. CORMIER:

19 (No response.)

20 MS. BARON:

21 Ron Duplessis?

22 MR. DUPLESSIS:

23 Here.

24 MS. BARON:

25 George Floyd?

1 MR. FLOYD:

2 Here.

3 MS. BARON:

4 George Floyd?

5 MR. FLOYD:

6 Here.

7 MS. BARON:

8 Kirby Roy?

9 MR. ROY:

10 (No response.)

11 MS. BARON:

12 Darty Smith?

13 MR. SMITH:

14 Here.

15 MS. BARON:

16 Steve Olave?

17 MR. OLAVE:

18 Here.

19 MS. BARON?

20 Mr. Chairman, we have a quorum.

21 MR. POTEET:

22 Thank you. Any one here today
23 for public comments?

24 MS. BARON:

25 There is not.

1 MR. POTEET:

2 All right. The first thing we
3 need to do is -- hopefully, all of you have
4 had a chance to look over the minutes of the
5 last meeting. We need a motion to approve
6 those.

7 MR. SMITH:

8 I make a motion.

9 MR. POTEET:

10 Darty.

11 MR. OLAVE:

12 I second.

13 MR. POTEET:

14 Steve second.

15 All of in favor, say, "Aye."

16 (All "Aye" responses.)

17 MR. POTEET:

18 Any opposed?

19 (No response.)

20 MR. POTEET:

21 The motion carries.

22 Next item for discussion, we've
23 got a lot of things on tap for the
24 financials today. Right, Mona?

25 MS. ANDERSON:

1 Good morning. If you'll turn in
2 your packets to your financial statement for
3 the month of -- ending May 31, 2015, the
4 total current assets on the statement of net
5 position were \$2,735,576. Of that, the cash
6 in the bank was \$1,792,306. Hearings and
7 fines were \$465,750. And at the bottom of
8 the page, the current liabilities are
9 \$53,260.

10 On Page 2, the deferred inflows
11 for the revenue were \$296,825. Moving on to
12 the statement of revenues and expenses and
13 changes in net position on Page 3, in the
14 middle of page, the year-to-date revenue was
15 \$1,563,679 compared to \$1,130,384 last year.
16 That's an increase of approximately
17 \$433,000. Under expenses, the salaries and
18 related benefits increased about \$9,000 over
19 the same time last -- same month last year
20 and that was primarily an increase in the
21 cost of benefits. The remainder of the
22 expenses increased less than \$1,000 compared
23 to the same month last year.

24 On Page 5, the year to date
25 change in net position was \$590,878 compared

1 to \$218,739 last year. On Page 6, you can
2 see the month-to-month comparisons to last
3 year's revenues and expenses. And on Page 7
4 is a chart of those figures. On Page 8 is a
5 pie chart of the revenues, which are
6 primarily auction transaction fees and fines
7 at this time.

8 On Page 9, there is your CD
9 summary. There are no changes in the
10 certificates of deposit for May. On Page 10
11 is the accounts receivable fines. We
12 increased the fines. We assessed \$7,950 in
13 fines for May and we collected \$45,500 in
14 the month. Some of those figures you see
15 there are cumulative over the last couple of
16 months. The remaining current hearing and
17 fines total is \$85,650, plus on Page 11, the
18 amount that's in collection is \$380,100 for
19 a total of \$465,750.

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

23 MR. POTEET:

24 Does anybody have any questions
25 for Mona?

1 (No response.)

2 MR. POTEET:

3 All right. So I need a motion to
4 approve the financial statements.

5 MR. ROY:

6 I move.

7 MR. POTEET:

8 Kirby.

9 MR. SMITH:

10 Second.

11 MR. POTEET:

12 Second Darty.

13 All in favor, say, "Aye."

14 (All "Aye" responses.)

15 MR. POTEET:

16 Any opposed?

17 (No responses.)

18 MR. POTEET:

19 All right. That passes.

20 So the next thing, we've got the
21 fiscal year end proposed budget amendments.
22 You've got that for us.

23 MS. ANDERSON:

24 So included in your packet are
25 the proposed amendments. As always, at the

1 end of the fiscal year, we amend the budget
2 to bring it in line with what we actually
3 have anticipated for the rest of the year.
4 The budget was prepared in September of
5 2014, and so it was only an estimate. So
6 we're going to amend it.

7 Column 1 is the budget --
8 unamended budget. Column 2 is the estimate
9 for the end of the year, and then what would
10 be remaining in the budget, in bringing over
11 the proposed budget amendments. And the
12 final column is the proposed end of year
13 budget. Pretty much, everything is just
14 moving line item items.

15 The revenue, the main two areas,
16 if you'll see in that second -- in that
17 green column, there are some asterisks
18 beside changes in revenue, mainly in the
19 auction transaction fees and the fines line
20 items. At the bottom of the page, the
21 changes in expenses would be to bring the
22 benefits in line with what actually came to
23 pass. We incurred a little bit higher
24 contribution to the retirement benefits this
25 year than we had anticipated at the time the

1 budget was prepared. Also, the health
2 insurance, we had a little bit higher -- a
3 little higher fee on that, mainly because we
4 had a lot of changes, as you know, in the
5 benefit -- the health insurance benefits
6 this year. Employees chose different
7 options. There were some rate increases and
8 all of those caused us to be a little under
9 -- to be a little over budget. And one of
10 those would be at the bottom of the page,
11 the HSA accounts. There's no way to
12 anticipate how many employees would choose
13 to participate in that. So we amend it to
14 the actual.

15 On the second page, we have
16 included -- at the time we did the budget,
17 we did not include amounts for the overhead
18 liability, the other post-employment
19 benefits liability or the compensated
20 absences, which we will have to accrue at
21 the end of this fiscal year. All of that to
22 say that it's just a change in the line
23 items. If you'll look at the bottom, the
24 total change and expenses was nil.

25 And that concludes my

1 presentation of the proposed budget
2 amendments. Mr. Chairman, I think we need a
3 vote to amend the budget.

4 MR. POTEET:

5 Does anyone have any questions
6 for Mona on the proposed budget amendments?

7 (No response.)

8 MR. POTEET:

9 No questions. Motion to approve?

10 MR. TAYLOR:

11 I make a motion.

12 MR. POTEET:

13 Dino, motion to approve.

14 MR. OLAVE:

15 I'll second.

16 MR. POTEET:

17 Second Steve.

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. That passes.

25 Thank you, Mona.

1 MS. ANDERSON:

2 Thank you.

3 MR. POTEET:

4 And let's see. We have payment
5 of invoice. Derek.

6 MR. PARNELL:

7 Yes. Commissioners, if you'll
8 please find in your packet a copy of
9 Attorney Morris' bill for services of May
10 2015. I have reviewed the services
11 performed and staff has reviewed the
12 calculations to make sure that they are
13 correct. Attorney Morris' bill for services
14 for May of 2015 is \$3,352.40.
15 Commissioners, I ask that you approve
16 payment for Attorney Morris' services.

17 MR. POTEET:

18 I need a motion.

19 MR. SMITH:

20 (Makes motion.)

21 MR. POTEET:

22 I have a motion from Darty.

23 MR. SMITH:

24 Second.

25 MR. POTEET:

1 A second from Darty.

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. The next thing,
9 Derek, I think you've got the ratification
10 of imposed penalties.

11 MR. PARNELL:

12 Yes. Commissioners, once again,
13 you'll find a chart in your packet that
14 illustrates the ratification of imposed
15 civil penalties. I have determined that the
16 public interest can be served better without
17 further administration hearing and imposing
18 these administrative fines these individuals
19 have and they have paid. I will announce
20 the names of the dealers and if we have any
21 -- do we have anyone present for any of
22 these individuals for the revocation?

23 MS. BARON:

24 No.

25 MR. PARNELL:

1 I'll go through and just say the
2 name and the fine amount. The first one is
3 Redemption Auto -- Redemption -- I'm sorry,
4 Redemption Auto Sales out of Gonzales,
5 Louisiana. The fine amount was \$2,000. The
6 second one on the list is Joe's Used Car Lot
7 out of Shreveport, Louisiana, and the fine
8 amount was \$250. The third on the list is
9 Auto Match of Baton Rouge, Louisiana. The
10 fine was \$150. The fourth one on the list
11 is Auto Match again for the second offense.
12 The fine was double, \$300. Fifth on the
13 list is J & J Motors of Zachary, Louisiana.
14 The fine was \$150. The sixth one on the
15 list is LA Auto Sales of Lafayette,
16 Louisiana. Their fine was \$150. Xnfinity
17 Enterprises, LLC out of Baton Rouge,
18 Louisiana, their fine was \$150.

19 The total amount for the imposed
20 penalties for the month was \$3,150. I would
21 ask that you ratify the amounts on the
22 stipulated orders. They have all have been
23 submitted and fines have been paid.

24 MR. POTEET:

25 Okay. We need a motion.

1 MR. OLAVE:

2 I make a motion we accept the
3 ratification.

4 MR. SMITH:

5 Second.

6 MR. POTEET:

7 I have a motion by Steve and a
8 second by Darty.

9 All in favor, say, "Aye."

10 (All "Aye" responses.)

11 MR. POTEET:

12 Any opposed?

13 (No response.)

14 MR. POTEET:

15 Okay. Those are all ratified
16 now. And then we've got the ratification of
17 the revocation.

18 MR. PARNELL:

19 Yes. Once again, if you'll go to
20 the next page in your document, you will
21 find a chart that illustrates the
22 ratification of revocations. We need to see
23 if there's anyone here.

24 MS. BARON:

25 No one is here.

1 MR. PARNELL:

2 Once again, I'll go through the
3 list and give you the name of the dealer and
4 let you know what date they were revoked on.
5 The first one is Roderick Classic Cars, LLC
6 from Baton Rouge, Louisiana. The notice of
7 revocation was sent out May 28th of 2015.
8 Braxton's Auto sales, LLC of New Orleans,
9 Louisiana, ratification notice was sent out
10 on May 28th of 2015. Old School Auto Salon,
11 LLC from New Orleans, Louisiana, the notice
12 of ratification was sent on May 21st of
13 2013. Rens Auto Sales, Inc., out of New
14 Orleans, Louisiana, notice of revocation was
15 June 2nd of 2015. And Direct Auto
16 Remarketing, LLC out of New Orleans,
17 Louisiana, notice of revocation was May 21,
18 2015. Commissioners, I ask that you ratify
19 the revocations of the above mentioned
20 dealers.

21 MR. POTEET:

22 Motion to ratify?

23 MR. SMITH:

24 I make a motion.

25 MR. OLAVE:

1 Second.

2 MR. POTEET:

3 All in favor, say, "Aye."

4 (All "Aye" responses.)

5 MR. POTEET:

6 Any opposed?

7 (No response.)

8 MR. POTEET:

9 Those are revocations are now
10 ratified.

11 Okay. Time for the Executive
12 Director's report.

13 MR. PARNELL:

14 All right. The first thing in
15 the report, you will find some charts that
16 illustrate the compliance investigation and
17 complaint totals for the month of May. The
18 first document you will find is the alleged
19 issue counts. The first -- there were 156
20 alleged issues for the month of May 2015.
21 The second document is the case report.
22 There were 87 assigned cases for May of
23 2015. 26 of those cases were closed, which
24 means there are 61 cases that remain open of
25 those assigned cases. The department

1 summary report illustrates that there were
2 58 cases that were closed in the month of
3 May.

4 In general information, at the
5 end of last -- during the last Commission
6 meeting, we had a discussion with the
7 stipulated agency order, Select Car Company
8 out of Shreveport, Louisiana, and at the end
9 of the Commission meeting, it was said that
10 you could -- you left it up to me that if he
11 could get everything done, I could give him
12 no more than about a 24 hour time frame if
13 he would get everything pretty much taken
14 care of during that time frame. It was up
15 to me whether I gave him that 24 hours or
16 not. He called. He talked to me right
17 afterward. Montie called him immediately
18 and let him know that. He called me right
19 away and I informed him that I would go
20 ahead and give him that additional 24 hours,
21 by close of business on that next day, and
22 if he didn't everything taken care of, we
23 were finished. He pleaded a little bit on
24 the phone, you know, to get more and more
25 time, but I told him that was all that I was

1 going to give him and that was all that
2 you've given me the power to do.

3 With that said, during that --
4 the next day, he did -- he went ahead and
5 paid the fees that he owed to ZBest Cars, so
6 he could get that title. He sent over a
7 copy of the bill of sale. So it was really
8 -- one thing that was remaining was the
9 title that he had to pay for. It was \$3,200
10 that he needed to pay ZBest in order for
11 them to get the title released. He went
12 ahead and made that payment. He took care
13 of everything and sent over some
14 documentation showing that they got the car
15 registered and everything. So I went ahead
16 and let him continue operating as such, but
17 I did inform him that moving forward, he's
18 going to have to make sure that he's meeting
19 with Montie regularly and -- so he can do
20 those audits and get all the information we
21 need to move forward with him.

22 MR. POTEET:

23 So he's back on track?

24 MR. PARNELL:

25 He's back on track, yes.

1 MR. TAYLOR:

2 What about the floor plan company
3 that they had one title?

4 MR. PARNELL:

5 That was the one.

6 MR. TAYLOR:

7 That was tied up with ZBest?

8 MR. PARNELL:

9 Yes. That was the one that he
10 was saying that they were saying he owed
11 more money than he said he owed. He went
12 ahead and just paid the money that they were
13 saying that he owed, which was \$3,200.

14 MS. MORRIS:

15 At the last Commission meeting,
16 they said he just needed to pay that.

17 MR. TAYLOR:

18 We discussed it even the month
19 before last.

20 MR. PARNELL:

21 It was like \$700 or something
22 like that.

23 MR. TAYLOR:

24 Of course, my ear is bent, did
25 Blakey get his license -- did he get his

1 title that was tied in there, does he have
2 it?

3 MR. PARNELL:

4 I don't know, specifically. I
5 think he did, though, if I'm not mistaken,
6 because when I spoke with the investigator,
7 I said make sure he has everything, because
8 this was the last title that was needed.

9 MR. TAYLOR:

10 Montie was aware?

11 MR. PARNELL:

12 Yes. Montie was aware of it,
13 yes. So with that said, I believe, yes, he
14 is, but I didn't verify that.

15 MR. POTEET:

16 And Montie is monitoring him.

17 MR. PARNELL:

18 Yes.

19 MR. TAYLOR:

20 Good.

21 MR. POTEET:

22 Okay. Anything else?

23 What about the cars?

24 MR. PARNELL:

25 The cars. Okay. He -- the cars,

1 we did get approved for us to buy two
2 vehicles. We went ahead and put the order
3 in with Gerry Lane. It's going to be two
4 Chevrolet 2016 Impalas. Initially, like I
5 said, they were trying to get us to buy
6 Nissan Sentras, which is incredibly small.
7 I think that's not -- that's not going to
8 work, you know. So they went ahead and
9 approved us for the purchase of the
10 vehicles. It wasn't as bad as I thought.
11 You know, I thought they were going to give
12 me much more problem, you know, getting
13 those vehicles, because they said it doesn't
14 really matter -- you know, if they noticed
15 that one person is riding in the vehicle
16 most of the time, they're only going to
17 approve a midsize vehicle, but, you know,
18 like I said, I gave an explanation why we
19 needed the larger vehicles and they just
20 went ahead and approved it without any
21 problem, you know. So that supposedly --
22 they're supposed to complete production of
23 them June 30th. So we'll probably get them
24 in the next month or two.

25 MR. POTEET:

1 Okay. Any other questions?

2 MR. PARNELL:

3 That completes my report.

4 MR. POTEET:

5 Okay. Thank you, Derek.

6 Committee reports, the
7 legislative session is now over, right?

8 MR. PARNELL:

9 Yes, it is.

10 MR. POTEET:

11 And you survived.

12 Ron, do you want to talk about
13 these two bills? Does anyone want to talk
14 about them?

15 MR. DUPLESSIS:

16 Yes. Our Bill was 533 with
17 Representative Price and we had one little
18 glitch. It was a good thing. It's healthy
19 for our process and I think Keith Kiraly
20 talked to us at the Capitol about our Bill
21 and was unhappy and was not comfortable with
22 the language that we had and we thought we
23 scored big, but it -- you know, it was
24 simple. We have not had a lot of complaints
25 in that arena and we're happy to have the

1 bill go forward and I think we had a good
2 piece of legislation. A lot of it was
3 cleanup. A lot of it was just kind of
4 syntax and nomenclature and that sort of
5 thing and it sailed through.

6 But the great thing is I think we
7 worked with the industry rather well and it
8 was noted by both the House and the Senate
9 and I think we gained a great deal of
10 credibility over the last four or five
11 years, especially with our ability to work
12 with our industry and I think you guys did a
13 fabulous job. When you go to a legislative
14 session, you have to have a good plan and
15 expectation, and have an expectation going
16 in and an expectation coming out. And I
17 think that we were really quite accurate and
18 in where we were. So in that regard, it was
19 an excellent session. But the great thing
20 was, it involved the industry and you guys
21 stood up and you played offense in the
22 session and you played defense, just like a
23 game. So at the end of the day, I think
24 both Bills worked out for us really well.

25 833 with Cameron Henry, it ended

1 up in conference committee and that's kind
2 of a bargaining table after the session is
3 over for Bills that aren't completed.

4 I'm probably going to ask Sheri
5 and Robert to -- Sheri to expound more about
6 that in the conference committee and it
7 seemed like they had a little more friction
8 getting their Bill through. They also had a
9 number of Bills attached to it, amendments,
10 fees. My suspicion is it won't pass,
11 because the State does need fees. The fees,
12 while they seemed to be large at 68 bucks, I
13 think, was previously \$18. So it wasn't a
14 new fee. It was an expansion of a fee in
15 order to have the State Police and some
16 other Motor Vehicle entities to continue to
17 work at the level they are. I didn't look
18 at the fiscal note, but it seemed to be
19 reasonably in line. The consumer pays for
20 that. So at the end of the day, there's no
21 harm, no foul to the industry. The
22 consumers have to pay an additional tax in
23 the form of a fee, but that's kind of my
24 assessment and I think we have a much
25 broader view.

1 MR. POTEET:

2 What was that fee for?

3 MR. DUPLESSIS:

4 The fee -- there was a public
5 safety fee.

6 MS. MORRIS:

7 It's on the title.

8 MR. PARNELL:

9 It's on the title.

10 MR. SMITH:

11 It went from \$18 to \$68.

12 MR. POTEET:

13 \$18.50 to \$68.

14 MR. DUPLESSIS:

15 Yes, and I think it was to -- it
16 benefitted the State Police and the
17 Department of Transportation or Motor
18 Vehicle. You guys have a better read on it
19 than I do.

20 MS. MORRIS:

21 It was part of the budget crise
22 that, you know, is expected to raise 70
23 million dollars in revenue to plug a hole
24 that would have been the Department of
25 Public Safety's budget, and so it's a \$50

1 increase that will be passed on to the
2 consumer on every title and it's kind of --

3 MR. POTEET:

4 So any time you need a title --

5 MS. MORRIS:

6 Issued, the fee is added and
7 there are some others.

8 MR. PARNELL:

9 Yes, there have been some other
10 things, but I was reading this morning in
11 the conference committee the report of the
12 digest that came out. One of the reports
13 that they had adopted in the Senate
14 amendment was the technical amendment to the
15 Bill, but what they did was, the report --
16 they injected the Senate amendment to
17 increase the fees relative to certificate of
18 titles and salvage titles from \$18.50 to
19 \$68.50. And so from what I gather from
20 this, I mean, it's pretty much that's where
21 it is now, that during the conference
22 committee, they rejected that fee increase.

23 MR. DUPLESSIS:

24 Sheri can explain the conference
25 committee. There's actually a set of deals

1 done behind closed doors, is the best way I
2 can say it.

3 MR. PARNELL:

4 I reached out to a friend of mine
5 that works at the Capitol to kind of explain
6 to me what a conference committee was, you
7 know, once it doesn't get concurrence
8 through the House side, of course, they
9 don't agree with whatever amendment that was
10 put on the Bill in the Senate side, at that
11 point, it gets assigned to the conference
12 committee and the conference committee,
13 you're going to get three senators that --
14 representative and you get three House
15 members that are representatives. And so I
16 asked her in the past from what I understood
17 that, you know, once it gets in there, it's
18 -- pretty much anything can happen to that
19 Bill, and then what she was saying was that
20 in the past it was like that, but she said
21 the way they're operating much more now is
22 that it has to be germane to that Bill. So
23 you're not going to get as many just random
24 things attached to Bills as you have in the
25 past. But, you know, once they came out

1 with these amendments and this report, I
2 don't know what the next step is beyond
3 that. I guess that's pretty much the end of
4 it, correct, because the session is over?

5 MS. MORRIS:

6 Once the conference committee
7 reports it, it has to go to the House and
8 the Senate, which I thought it did, and
9 maybe the \$68 fee. This Bill was originally
10 the New Motor Vehicle Commission's Bill --

11 MR. PARNELL:

12 Right.

13 MS. MORRIS:

14 -- and then that fee got attached
15 to it. Both the House and Senate adopted
16 the conference committee report. So that is
17 what the Bill says. The conference
18 committee -- it's true that, you know, the
19 Bill can come out saying a totally different
20 thing, but originally this was kind of a
21 cleanup bill for the Motor Vehicle
22 Commission, but when the Department of
23 Public Safety's fee increase failed, it got
24 attached to this Bill, which then made this
25 particular bill a controversial Bill, but I

1 believe it was -- those fees were stripped
2 from this Bill, but they were still passed
3 in another Bill. I believe that the \$50
4 increase did pass. So we'll have to find
5 out.

6 MR. DUPLESSIS:

7 But not in this Bill.

8 MS. MORRIS:

9 Not in this Bill, but I believe
10 it did pass.

11 MR. DUPLESSIS:

12 I was surprised that -- I would
13 have never thought that it would have been
14 stripped because of the fee generation. I
15 thought it have may have been reduced, but
16 the need for fee and what it serves, I
17 thought probably it would, but you can never
18 tell what's going to happen behind closed
19 doors. What they did cleanup is, the last
20 day of the session, a lot of guys would tack
21 amendments on where their Bill got tabled,
22 and then, of course, they would force them
23 in the conference committee, then they would
24 try to work out the Bill, which is really
25 kind of a slight of hand, also as a

1 substitute Bill or something of that nature.
2 So then they look at germanity, making sure
3 that they have the proper sessions of law,
4 that it's going down the same path and
5 that's what they did. But I didn't keep up
6 with it once it got into conference
7 committee, but my guess is the fee will
8 pass.

9 MS. MORRIS:

10 Well, it's over with. Whatever
11 passed, it passed on the 11th, but I think
12 it got tacked onto House Bill 455. There
13 were two Bills that it was tacked on to. I
14 think it did ultimately get tacked onto 873,
15 but I think the fee increase did pass and it
16 probably on this 455. So that is always a
17 danger. Like the Motor Vehicle Commission
18 didn't have anything do with the fee
19 increase and it could have been tacked onto
20 our Bill, because it was a Title 32 Bill.
21 And so we are lucky we did not have that,
22 because that prolonged the process for their
23 cleanup Bill. It's not what they expected.
24 In our Bill, in order to use the word
25 certified, you have to have that approved by

1 the Commissioner certification program. So
2 we do need to notify our licensees, because
3 the Bill becomes effective August 1st, that
4 they do need to submit any certification
5 process that they are advertising to the
6 Commission for approval and we need to be
7 prepared to move forward at the July meeting
8 and August meeting to get those approved, so
9 we don't keep people from using what they
10 have been using that was supported by
11 documentation that's appropriate.

12 MR. HALLACK:

13 Do we need to develop some kind
14 of rules and regs to at least provide a time
15 line or a process by which this can be done?

16 MS. MORRIS:

17 We can certainly do that, but I
18 think that people that have programs that
19 are in place, we probably need to give them
20 some sort of preliminary approval until the
21 rules are done, so they won't have to change
22 their advertisement and change them back.
23 We don't want to keep them from using them
24 if they were legitimate documented
25 certification process, but if you're

1 advertising as certified and you don't have
2 any real certification process those are the
3 ones that are a problem.

4 But, you know, even if you want
5 to just approve them, preliminary approve
6 them for this year -- the end of this year,
7 and then work towards some rules with the
8 association and the dealers to have some
9 minimum standards for the rules, turnaround
10 time for the -- for -- you know, if you
11 submit it on this date, it will be approved
12 at the next Commission date, but no earlier
13 than some sort of deadline, so people will
14 know how long the process is a new issue.

15 MR. POTEET:

16 Do we need to vote on every one
17 of those? Derek can approve those and they
18 can appeal to us.

19 MS. MORRIS:

20 Well, we could do it kind of like
21 we're doing the ratifications now, but I
22 think until you all see some of them, you're
23 not really going to know how to judge what
24 you want the minimum standard to be.

25 MR. DUPLESSIS:

1 Well, we have car people here and
2 I think -- what I would recommend is like
3 your association would get involved and you
4 would have a declaration of certification.
5 That way, we can kind of, you know, rubber
6 stamp the effort. You know, my thought is
7 look at Kelley, look at NADA, look at NAIDA,
8 look at, you know, whatever is out there and
9 come up with something reasonable, but it
10 certainly has to be, you know, all safety
11 factors. There has to be a minimum,
12 probably a 90 day warranty is my thought, on
13 certification, that sort of thing, and those
14 are just my recommendations. So y'all
15 police your industry and be a part of, I
16 think, good business practice.

17 MR. TAMBLING:

18 Be more than glad to do that.

19 MR. DUPLESSIS:

20 And then Derek -- if they fall in
21 that criteria, Derek can easily approve
22 them. If there's something out of it, they
23 can appeal and we can look at it as a
24 Commission, but I don't think I want to be
25 here all day looking at getting legal

1 opinions on certification programs.

2 MR. POTEET:

3 Yes. I think that when we talked
4 about this a couple meetings back, we talked
5 about, you know, the ones you mentioned,
6 NAIDA, and then some others I think Dino had
7 mentioned, but, you know, I think that that
8 can be a pretty easy thing to write
9 something up and say, these are the things
10 that we would approve, and then if you have
11 something that you want to submit to us that
12 may be different, then we can go through
13 that.

14 MR. TAYLOR:

15 Maybe we can send a field officer
16 out to make sure that they can show what
17 they're doing.

18 MR. POTEET:

19 I mean, that's really about --
20 you know, you tell them what the guideline
21 is, and then you have to go check them just
22 like we check other things.

23 MR. DUPLESSIS:

24 It would have to be posted on the
25 window. That is normally what

1 certifications cling onto, no pun intended,
2 but, you know, when you do a GM or Ford or
3 whatever, they put the certification on the
4 window with the check boxes making sure that
5 those -- and then the consumer can see that
6 the brakes are within acceptable standard
7 levels, tires and so forth, and that would
8 be the way to police it without driving them
9 nuts.

10 MR. POTEET:

11 Okay. So you'll get with Derek
12 and work on some of that.

13 MR. TAMBLING:

14 Yes, that's easy.

15 MR. DUPLESSIS:

16 Mr. Chairman, that concludes my
17 report.

18 MR. POTEET:

19 Okay. I think that pretty much
20 covers our basic meeting. We've got some
21 hearings today.

22 MR. HALLACK:

23 Yes, sir. We've got two that are
24 willing to stipulate. They're willing to
25 pay a fine, if you don't mind taking those

1 right now. We have Covington Auto Sales --
2 Covington Auto Sales has three violations of
3 non-delivery of title, misuse of a temp tag,
4 and failure to maintain records. So it has
5 three violations. He's willing to pay to
6 \$200 each in 30 days. He was given a
7 violation letter and he didn't respond.
8 He's been out of business for a while, but
9 he didn't show up today and he was going to
10 do that.

11 MR. TAYLOR:

12 He's still out of business?

13 MS. BARON:

14 Yes.

15 MR. HALLACK:

16 Yes, okay. He says he's out of
17 business.

18 MS. BARON:

19 Yes, sir.

20 MR. POTEET:

21 So we're just collecting fines.

22 MR. HALLACK:

23 Yes. He said he fell out of
24 trust with his floor planner and owes him 50
25 grand and had to borrow money from his

1 father-in-law, and so he's destitute, but he
2 can come up 600 bucks with 30 days.

3 MS. BARON:

4 What were the charges,
5 non-delivery --

6 MR. HALLACK:

7 Non-delivery of title, misuse of
8 temp tag, and failure to maintain records.

9 MR. TAYLOR:

10 Where is the title now, did the
11 customer get it?

12 MR. HALLACK:

13 The Commission has it. He tried
14 to deliver it to the customer. The customer
15 refused to come pick it up. So he just --
16 he brought to the Commission and said,
17 here's the title. The temp tag violation,
18 he wrote a temp tag on a boat. And then the
19 failure to maintain records, is kind of
20 simple.

21 MR. POTEET:

22 Anybody have any discussion on
23 this, why we shouldn't do this?

24 (No response.)

25 MR. POTEET:

1 Okay. We need a motion.

2 MR. HALLACK:

3 No, no, no, he needs to come in
4 and --

5 MR. POTEET:

6 He needs to --

7 MR. HALLACK:

8 Because I just wanted to come in
9 here and y'all tell him no, and then we have
10 to have a hearing on it.

11 MR. POTEET:

12 Okay. So we don't vote on it?

13 MR. HALLACK:

14 No, but you need --

15 MR. POTEET:

16 You want a general feeling --

17 MR. HALLACK:

18 Yes. If anybody is going to
19 object to that or --

20 MR. POTEET:

21 Anybody have any concerns on
22 this?

23 (No response.)

24 MR. HALLACK:

25 The other one is a fraudulent act

1 and --

2 MR. POTEET:

3 Which one?

4 MR. HALLACK:

5 I'm sorry. The first one was
6 Covington Auto Sales. The second one is LA
7 Trading Post, Joey DuPont. Mr. DuPont is
8 here. He had one count of fraudulent act.
9 He had a bill of sale where he sold the
10 vehicle for two grand and he put on the bill
11 of sale that it was \$4,000. He admits that
12 he did wrong. He wants to pay \$500. I
13 think he's already attended the seminar. He
14 says that he has.

15 MR. DUPLESSIS:

16 Is there a tax violation in that
17 as well?

18 MR. HALLACK:

19 I have no idea.

20 MS. BARON:

21 Is there a what?

22 MR. DUPLESSIS:

23 A tax remission violation in that
24 as well.

25 MR. HALLACK:

1 I'm sure he paid. I think it was
2 a cash sale. He was not obligated to pay
3 taxes on it. The customer was.

4 MR. GUILLORY:

5 The consumer was -- she did pay
6 the adjusted amount to the Office of Motor
7 Vehicle.

8 MR. DUPLESSIS:

9 The proper amount?

10 MR. GUILLORY:

11 Yes, because when she got
12 questioned about it, she got nervous and
13 that's how we came to find out about it.

14 MR. POTEET:

15 Any discussion on this one?

16 MR. TAYLOR:

17 This guy's still in business.
18 How long has he been in business?

19 MR. HALLACK:

20 And violation letters were sent
21 to both of these and asked them to stipulate
22 to fines and whatever and they didn't.

23 MR. POTEET:

24 But they're willing to do it
25 today?

1 MR. HALLACK:

2 They're willing to do it today.

3 They're here and they want to --

4 MS. BARON:

5 LA Trading Post has been in
6 business since 2013.

7 What was your other question?

8 MR. TAYLOR:

9 They're still in business,
10 they're active?

11 MS. BARON:

12 LA Trading Post is, yes.

13 MR. POTEET:

14 Have they ever had any other
15 problems or other issues?

16 MR. GUILLORY:

17 Not for LA Trading Post.

18 MR. HALLACK:

19 Not to my knowledge.

20 MS. BARON:

21 He had one complaint in 2014 and
22 that was it.

23 MR. POTEET:

24 Anybody have anything to discuss?

25 It sounds all right to me.

1 What did you say it was, \$500?

2 MR. HALLACK:

3 \$500, yes, sir.

4 MR. POTEET:

5 You discussed these with Derek, I
6 assume?

7 MR. HALLACK:

8 Well, I haven't had a chance to
9 discuss it.

10 MR. POTEET:

11 You're doing it now.

12 MR. HALLACK:

13 I asked him if I could go out and
14 do it, yes, but I didn't have the amounts
15 ready, because y'all were talking.

16 MR. POTEET:

17 Does anybody have any objection?

18 MR. PARNELL:

19 I was wondering what was the cost
20 difference.

21 MR. HALLACK:

22 The other one is cease and desist
23 and he claims that he --

24 MS. BARON:

25 \$500 was for Covington Auto

1 Parts.

2 MR. OLAVE:

3 What is the opinion from the
4 Executive Director, Derek? I mean, that's
5 -- both of these cases --

6 MR. PARNELL:

7 Well, LA Trading Post, yes,
8 that's what I fined him was \$500 and he
9 didn't pay that fine, and so that's why we
10 put him on the agenda today. I'm just
11 trying to see what Covington --

12 MR. POTEET:

13 You had recommended \$600.

14 MS. BARON:

15 One for Covington was \$950 and
16 the other one was \$700, but there were some
17 of the counts Robert said we couldn't use
18 and didn't agree with them and we had to
19 dismiss them.

20 MR. POTEET:

21 \$600. Okay.

22 MR. HALLACK:

23 Okay. We have one other one
24 that's a cease and desist. Somebody was
25 operating a business without a license. He

1 received the dealership in an act of
2 donation, but he never went ahead and got
3 his license with the Commission, because the
4 person who claims -- that gave him the
5 dealership told him that he didn't need one.
6 So for now he's met all the requirements.
7 He's got his bond and everything. I don't
8 know what we --

9 MS. BARON:

10 We just got it. It hasn't been
11 approved, yet. It's with the administrative
12 coordinator for her to look over and make
13 sure everything is there. I looked at it
14 this morning and we have all of the forms
15 that we've asked for.

16 MS. MORRIS:

17 Do you want to defer it to the
18 next meeting?

19 MR. POTEET:

20 That needs to be deferred.
21 There's nothing we can conclude today,
22 right? We can defer that. Okay.

23 MR. HALLACK:

24 Well, she's going to defer it to
25 the next meeting.

1 MS. BARON:

2 Which means they stay out of
3 business until then?

4 MS. MORRIS:

5 Until he gets a license.

6 MR. POTEET:

7 Until he gets a license.

8 MS. BARON:

9 That would be my question,
10 because --

11 MR. POTEET:

12 So when he gets his license then
13 the cease and desist --

14 MR. PARNELL:

15 We can stop the cease and desist.

16 MR. HALLACK:

17 That's what we'll tell him.

18 MS. MORRIS:

19 The cease and desist only lasts
20 so many days.

21 MS. BARON:

22 Today was the last day.

23 MR. HALLACK:

24 We're going to proceed with the
25 hearings. Mr. Gallardo, would you come up

1 to the podium, please, sir?

2 MS. MORRIS:

3 This is?

4 MR. HALLACK:

5 This is Covington Auto Sales.

6 MR. POTEET:

7 Autoplex.

8 MR. HALLACK:

9 Autoplex.

10 Mr. Gallardo, could you give us
11 your full name just for the record?

12 MR. GALLARDO:

13 Gerardo Gallardo.

14 MR. HALLACK:

15 Mr. Gallardo, you used to own a
16 dealership by the name of Covington
17 Autoplex; is that correct?

18 MR. GALLARDO:

19 Yes, sir.

20 MR. HALLACK:

21 And you're no longer in business;
22 is that right?

23 MR. GALLARDO:

24 It's been almost a year.

25 MR. HALLACK:

1 You've been out of business for
2 almost a year?

3 MR. GALLARDO:

4 Yes.

5 MR. HALLACK:

6 And you were cited for three
7 violations, failure to maintain records,
8 non-delivery of title, and misuse of temp
9 tags. And you've agreed to plead guilty to
10 those three offenses and pay a fine of \$200
11 each for a total of \$600; is that correct?

12 MR. GALLARDO:

13 Yes.

14 MS. MORRIS:

15 Do you want him to be placed
16 under oath?

17 MR. HALLACK:

18 I don't know why. He's
19 stipulating. That's fine. Okay.

20 (Swearing in of Gerardo Gallardo)

21 MR. HALLACK:

22 All right. Mr. Gallardo, can you
23 give us your full name, again?

24 MR. GALLARDO:

25 Gerardo Gallardo.

1 MR. HALLACK:

2 And you used to own a business
3 called Covington Autoplex; is that correct?

4 MR. GALLARDO:

5 Yes, sir.

6 MR. HALLACK:

7 And you were furnished with a
8 violation letter in which you were cited for
9 three violations, failure to maintain
10 records, misuse of a temp tag, and
11 non-delivery of title; is that correct?

12 MR. GALLARDO:

13 Yes, sir.

14 MR. HALLACK:

15 And you're willing today to
16 stipulate to those offenses, \$200 each for a
17 total of \$600; is that correct?

18 MR. GALLARDO:

19 Yes, sir.

20 MR. HALLACK:

21 And you can pay that in 30 days;
22 is that correct?

23 MR. GALLARDO:

24 Yes, sir.

25 MR. HALLACK:

1 Does anybody have any questions
2 for Mr. Gallardo?

3 (No response.)

4 MR. POTEET:

5 No.

6 MR. HALLACK:

7 Do we have a motion to accept Mr.
8 Gallardo's stipulation?

9 MR. SMITH:

10 I make a motion.

11 MR. TAYLOR:

12 Second.

13 MR. POTEET:

14 Second from Dino.

15 All in favor, say, "Aye."

16 (All "Aye" responses.)

17 MR. POTEET:

18 Any opposed?

19 (No response.)

20 MR. HALLACK:

21 Okay. Mr. Gallardo, you
22 stipulated that you're going to pay \$600 in
23 30 days; is that correct?

24 MR. GALLARDO:

25 Yes, sir.

1 MR. HALLACK:

2 They've accepted that as your
3 plea agreement. All right. And you're free
4 to leave.

5 MR. GALLARDO:

6 Thank you.

7 MR. HALLACK:

8 Mr. DuPont -- Mr. DuPont is here
9 on behalf of LA Trading Post.

10 (Swearing in of Joey DuPont)

11 MR. HALLACK:

12 Mr. DuPont, could you give us
13 your full name?

14 MR. DuPONT:

15 Clet Joseph DuPont, III.

16 MR. HALLACK:

17 And, Mr. DuPont, you own a
18 dealership named LA Trading Post?

19 MR. DuPONT:

20 Yes.

21 MR. HALLACK:

22 And where is that located?

23 MR. DuPONT:

24 8390 Rushing Road, Denham
25 Springs, Louisiana.

1 MR. HALLACK:

2 Okay. Are you still in business
3 today?

4 THE WITNESS:

5 I am.

6 MR. HALLACK:

7 Okay. You were cited for a
8 violation of fraudulent act in a used motor
9 vehicle transaction. And you're willing to
10 stipulate to that violation; is that
11 correct?

12 MR. DuPONT:

13 I am.

14 MR. HALLACK:

15 And you're willing to pay a fine
16 of \$500 within 30 days; is that correct?

17 MR. DuPONT:

18 I am.

19 MR. HALLACK:

20 Anybody have any questions for
21 Mr. DuPont?

22 MR. POTEET:

23 Anybody have any questions?

24 (No response.)

25 MR. POTEET:

1 No questions. So I need a
2 motion.

3 MR. SMITH:

4 I will make a motion.

5 MR. OLAVE:

6 Second.

7 MR. POTEET:

8 Darty motion, second by Steve.

9 All in favor, say, "Aye."

10 (All "Aye" responses.)

11 MR. POTEET:

12 Any opposed?

13 (No response.)

14 MR. POTEET:

15 Okay.

16 MR. HALLACK:

17 Mr. DuPont, you've got 30 days to

18 pay \$500. Okay.

19 MR. DuPONT:

20 Thank you.

21 MR. HALLACK:

22 Next, we have cease and desist
23 order on Houston Motors. Houston Motors was
24 issued a cease and desist, because Mr.
25 Linares, who is here with us right now,

1 received a dealership through an act of
2 donation, but Mr. Linares did not apply for
3 a license, because the seller, Juan Morales,
4 had told him that he didn't need to get a
5 license in his name, that he's just buying
6 the dealership. So Mr. Linares is in the
7 process of complying with the requirements
8 of the license.

9 Mr. Linares, could you please be
10 sworn in by the court reporter?

11 (Swearing in of Carlos Linares)

12 MR. HALLACK:

13 Mr. Linares, could you give us
14 your name?

15 MR. LINARES:

16 Carlos S. Linares.

17 MR. HALLACK:

18 Okay. And you now own a
19 dealership named Houston Motors; is that
20 correct?

21 MR. LINARES:

22 Yes.

23 MR. HALLACK:

24 Where is Houston Motors located?

25 MR. LINARES:

1 1506 Flannery Road in Baton
2 Rouge, Louisiana 70815.

3 MR. HALLACK:

4 And, Mr. Linares, you came in
5 possession of Houston Motors by an act of
6 donation from Juan Morales; is that correct?

7 MR. LINARES:

8 Yes.

9 MR. HALLACK:

10 And Mr. Morales had told you that
11 you didn't need to get a license, because
12 you were buying the dealership; is that
13 right?

14 MR. LINARES:

15 He didn't told me that.
16 Although, he did told me that once I got a
17 license, the license was true under his name
18 as a buyer. So he told me, you're good to
19 go, and I was directed by him, but I was
20 directed wrong, you know.

21 MR. HALLACK:

22 Yes, sir. I understand. And you
23 were a salesperson at Houston Motors --

24 MR. LINARES:

25 Yes.

1 MR. HALLACK:

2 -- when Mr. Morales owned it; is
3 that correct?

4 MR. LINARES:

5 Yes.

6 MR. HALLACK:

7 How long had you been a
8 salesperson at that the dealership?

9 MR. LINARES:

10 About six months.

11 MR. HALLACK:

12 Okay. Now, at some point, an
13 investigator advised you that needed to get
14 a license; is that correct?

15 MR. LINARES:

16 Yes.

17 MR. HALLACK:

18 And have you been trying to get a
19 license?

20 MR. LINARES:

21 All the paperwork was submitted
22 to the office already.

23 MR. HALLACK:

24 Okay. And you've been in the
25 process of complying with the requirements

1 of the license; is that right?

2 MR. LINARES:

3 Yes.

4 MR. HALLACK:

5 But you haven't been given a
6 license yet; is that right?

7 MR. LINARES:

8 Supposed to today, you know, I
9 don't know.

10 MR. HALLACK:

11 Okay. Well, until you get a
12 license, you can't sell used motor vehicles;
13 is that right?

14 MR. LINARES:

15 Yes.

16 MR. HALLACK:

17 Okay. And you know not to sell
18 them until you get --

19 MR. LINARES:

20 Not sell anything.

21 MR. HALLACK:

22 All right. They can't give you
23 -- the Commission is not -- they're not
24 involved in the administrative process of
25 giving you a license. That has to be done

1 by the office, but until you get that
2 license from the office, you can't sell used
3 motor vehicles.

4 MR. LINARES:

5 I cannot sell anything.

6 MR. HALLACK:

7 No. So it's still a process
8 that's still going on and the cease and
9 desist order is still effective. You can't
10 sell used motor vehicles until the office
11 gives you a license, which hopefully will be
12 soon. Okay.

13 MR. LINARES:

14 Yes, sir.

15 MR. HALLACK:

16 Does anybody have any questions
17 for Mr. Linares?

18 MS. MORRIS:

19 Did he go to the seminar?

20 MR. PARNELL:

21 He's scheduled for the seminar.
22 This was early -- two weeks ago when we
23 talked. I had him scheduled for the
24 seminar, but he missed the time frame. He
25 got here two hours late. And so I told him

1 he was going to have to reschedule, because
2 he missed too much of it at that time. We
3 went ahead and scheduled for the August, but
4 I was just telling Kim that we need to try
5 to get him into the July meeting, because
6 typically when we have new dealers, we give
7 them 60 days in order to get their -- to
8 attended the seminar. So we will just move
9 him forward.

10 MR. POTEET:

11 Okay. What do we need to do?

12 MR. HALLACK:

13 Well, we probably need a motion
14 to make the cease and desist order
15 continuing until such time as his license
16 has been approved.

17 MR. TAYLOR:

18 I'll make that motion.

19 MR. POTEET:

20 All right. Dino.

21 MR. SMITH:

22 Second.

23 MR. POTEET:

24 Second from Darty.

25 All in favor, say, "Aye."

1 (All "Aye" responses.)

2 MR. POTEET:

3 Any opposed?

4 (No response.)

5 MR. POTEET:

6 Okay. That motion passes.

7 MR. HALLACK:

8 Mr. Linares, that's it. Okay.

9 You understand what happened, right?

10 MR. LINARES:

11 Yes.

12 MR. HALLACK:

13 Okay. You're free to go.

14 MR. LINARES:

15 Thank you.

16 MR. GUILLORY:

17 He's waiting on the City has to
18 do a final inspection and decided his
19 plumbing wasn't to code, even though it had
20 already been signed off on, and so the
21 effective date -- they withheld his
22 occupational license until such time -- but
23 when the landlord got involved Friday, the
24 City has reversed their decision. They're
25 going to send out an inspector again and let

1 a different inspector go over it.

2 MR. POTEET:

3 Okay.

4 MR. PARNELL:

5 That's been a dealership right
6 there before.

7 MR. HALLACK:

8 Okay. The next hearing we've
9 got, we don't have anybody here present on
10 PJ's Auto Sales. Let's take a 10 minute
11 recess.

12 (Recess taken.)

13 MR. POTEET:

14 Mr. Hallack.

15 MR. HALLACK:

16 Yes, sir. The next hearing we
17 have is on PJ's Auto Sales. It's the second
18 set of lettering beginning with A, it's the
19 notice of hearing.

20 Mr. Matthews was cited for
21 failure to maintain the requirements of a
22 business. His sign was down and his phone
23 was off. I talked to Mr. Matthews. Mr.
24 Matthews said he just went out of business,
25 but any time -- I explained to Mr. Matthews,

1 any time a dealer goes out of business,
2 they're required to submit a notice of
3 closure form, which he didn't do. But he's
4 willing to stipulate today to a fine of \$200
5 for the violations.

6 Does everybody understand what
7 the violations are for? Okay. Sir?

8 MR. POTEET:

9 Is he still out of business?

10 MR. HALLACK:

11 Yes, he's still out of business.

12 MR. POTEET:

13 Not planning on going back into
14 business?

15 MR. HALLACK:

16 Well, he said that he might
17 re-apply one day and I told him a
18 determination would have to be made on that
19 at the time he re-applied.

20 MR. POTEET:

21 Okay. Do we need to swear him
22 in?

23 (Swearing in of Perry Matthews)

24 MR. HALLACK:

25 Mr. Matthews, could you give us

1 your full name?

2 MR. MATTHEWS:

3 Perry Joseph Matthews.

4 MR. HALLACK:

5 And, Mr. Matthews, you owned a
6 dealership by the name of PJ's Auto Sales;
7 is that correct?

8 MR. MATTHEWS?

9 Yes, sir.

10 MR. HALLACK:

11 And where was that located?

12 MR. MATTHEWS:

13 In Broussard, 226 Loul Street,
14 Broussard, Louisiana 70518.

15 MR. HALLACK:

16 Okay. And, Mr. Matthews, at some
17 point, you closed PJ's Auto Sales; is that
18 right?

19 MR. MATTHEWS:

20 Yes, sir.

21 MR. HALLACK:

22 Now, why is it that you closed
23 the dealership?

24 MR. MATTHEWS:

25 When I jumped into the

1 dealership, I was listening to a friend and
2 when I went into it, I wasn't like -- well,
3 I listened to a friend when I jumped into
4 this saying I could make this and make that,
5 and then I ended up going to this little
6 finance company and borrowing money from
7 them and jumping into a business and I ended
8 up buying used, wrecked cars and trying to
9 put them back together and it cost me more
10 than what I borrowed and it ended up sinking
11 down. So I ended up getting out of it.

12 MR. HALLACK:

13 Okay. At some point, you turned
14 off your business phone; is that right?

15 MR. MATTHEWS:

16 Yes, sir. I turned off the
17 business phone and took the sign down and
18 kept on with my daytime job.

19 MR. HALLACK:

20 And you understand that if you
21 should ever get back in the business and
22 close it again, that you need to fill out a
23 notice of closure form; is that correct?

24 MR. MATTHEWS:

25 Yes, sir.

1 MR. HALLACK:

2 Now, Mr. Matthews, I understand
3 you've agreed to pay a fine of \$200 within
4 30 days; is that right?

5 MR. MATTHEWS:

6 Correct.

7 MR. HALLACK:

8 And you're willing to do that; is
9 that right?

10 MR. MATTHEWS:

11 Yes, sir.

12 MR. HALLACK:

13 Does anybody have any questions
14 for Mr. Matthews?

15 MR. POTEET:

16 Any questions, anyone?

17 MR. TAYLOR:

18 No customers, no hurt, no
19 carnage?

20 MR. HALLACK:

21 No.

22 MR. POTEET:

23 I think that's probably the only
24 question we have.

25 MR. HALLACK:

1 Would anybody like to make a
2 motion?

3 MR. SMITH:

4 I make a motion.

5 MR. POTEET:

6 Darty.

7 MR. CORMIER:

8 Second?

9 MR. POTEET:

10 Second over here, Tony.

11 All in favor, say, "Aye."

12 (All "Aye" responses.)

13 MR. POTEET:

14 Any opposed?

15 (No response.)

16 MR. POTEET:

17 The motion carriers.

18 MR. HALLACK:

19 Mr. Matthews, please pay the \$200
20 in 30 days. Okay.

21 MR. MATTHEWS:

22 Okay. I will. Thank you.

23 MR. POTEET:

24 That concludes it.

25 MR. PARNELL:

1 Chairman Poteet, I have an item
2 that I want to discuss with you all prior to
3 us closing out the meeting. I want to ask
4 that you amend the agenda, so we can discuss
5 our contract -- annual contract that is
6 expiring and I wanted to give you another
7 update on the employee issue.

8 MR. POTEET:

9 We need to make a motion to amend
10 the agenda to discuss contracts.

11 MR. SMITH:

12 I'll make a motion.

13 MR. POTEET:

14 Darty.

15 MR. OLAVE:

16 Second.

17 MR. POTEET:

18 Second with Steve.

19 All in favor, say, "Aye."

20 (All "Aye" responses.)

21 MR. POTEET:

22 All right. Derek.

23 MR. PARNELL:

24 Typically, what we normally -- we
25 kind of ran out of time this year, but

1 typically we normally try to give you in
2 advance all the contracts that we have in
3 existence currently that are expiring. Our
4 contract expires on July 30th with our
5 attorneys, the court reporter, accountant,
6 and the IT personnel. With our attorneys,
7 there's an increase in their attorney's
8 fees. It's been \$175 per hour to \$225 an
9 hour. That increase came through the
10 Attorney General's Office. And the court
11 reporter, I don't know -- I think -- \$5 to
12 \$7 per page. Our accountant has asked for
13 the same increase that the attorneys
14 increased to \$225. And our IT person is
15 pretty much staying the same. So I just
16 want to ask that we can approve the contract
17 renewals with those fee increases to be
18 added to it. She has copies for everyone.

19 The accountant, Roy Hebert, his
20 is going from \$140 to \$150. And the IT
21 person is no increase on that at all.
22 Typically, I do present it to you all and
23 get your approval on the renewal of the
24 contracts. So I will ask that you approve
25 our contract moving forward with our -- with

1 our staying legal with our Attorney
2 General's Office.

3 MR. POTEET:

4 So can we put those all in one
5 motion?

6 MR. HALLACK:

7 Yes.

8 MR. POTEET:

9 I make a motion that we approve
10 all the contracts at the rates that Derek
11 has submitted to us today. I need a second.

12 MR. OLAVE:

13 I'll second.

14 MR. POTEET:

15 Second from Steve.

16 All in favor, say, "Aye."

17 (All "Aye" responses.)

18 MR. POTEET:

19 Any opposed?

20 (No response.)

21 MR. POTEET:

22 So all of those contracts will be
23 renewed at those rates.

24 MR. PARNELL:

25 And the last thing I kind of

1 wanted to do, it should have been under --
2 in my general comments. We had a compliance
3 investigator, Ms. Angie Kirby, she is no
4 longer with our agency anymore. We're going
5 to start the process of immediately trying
6 to research and try to find a replacement
7 for her. And I just wanted to make that
8 comment.

9 MR. TAYLOR:

10 How long has she been here?

11 MR. PARNELL:

12 She came on, I would say, about a
13 year and a half ago.

14 MR. POTEET:

15 She resigned.

16 MS. MORRIS:

17 It was a disciplinary hearing.

18 MR. POTEET:

19 Okay. All right.

20 MR. TAYLOR:

21 Is Mr. Guillory going to pick up
22 her slack?

23 MR. PARNELL:

24 Yes. Montie is going to kind of
25 chip in as much as possible. Montie --

1 we'll have to pull him down. With Ronnie, I
2 can't really pull him too much, because with
3 his retirement, he can't use that many hours
4 remaining to the end of this fiscal year.
5 So I've kind of got to piece it together.
6 But we're going to start the process
7 immediately of trying to find someone with
8 experience. Hopefully, we can find someone
9 that's been in the industry before, not
10 necessarily with our Commission, but
11 somebody that has some background in law
12 enforcement as well.

13 MR. POTEET:

14 Okay. All right. Anything else?
15 Do we have any items for the next agenda,
16 the next meeting?

17 (No response.)

18 MR. POTEET:

19 It's a long way off. We'll think
20 of something between now and then. When is
21 the next meeting?

22 MS. BARON:

23 July 20th.

24 MR. POTEET:

25 All right. Motion to adjourn.

1 MR. SMITH:

2 I'll make A motion.

3 MR. OLAVE:

4 Second.

5 MR. POTEET:

6 Thank you very much.

7 (Meeting adjourned at 10:43 a.m.)

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REPORTER'S CERTIFICATE

1
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 June 15, 2015, 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 June 25, 2015, Baton Rouge,
15 Louisiana.

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

Betty D. Glissman, CCR

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