LOUISIANA USED MOTOR VEHICLE COMMISSION

STATE OF LOUISIANA

REGULAR MEETING

JANUARY 22, 2024

BEGINNING AT 9:30 A.M.

3132 VALLEY CREEK

BATON ROUGE, LOUISIANA

REPORTED BY:

BETTY D. GLISSMAN, CCR

APPEARANCES:

COMMISSIONERS PRESENT:

MR. OBAYDAH ALSALEMEH

MR. TRAVIS BROWN

MR. JEFFEREY BRITT

MR. RICKY DONNELL

MR. GEORGE FLOYD

MR. ROBERT "BOBBY" HINES

MR. MATTHEW PEDERSON

REPRESENTING THE LOUISIANA USED MOTOR VEHICLE COMMISSION:

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

SHERI MORRIS, ESQUIRE
DAIGLE, FISSE & KESSENICH, PLC
8480 BLUEBONNET BOULEVARD, SUITE F
BATON ROUGE, LOUISIANA 70810

ALSO PRESENT:

MS. KIM BARON
MR. DEREK PARNELL (PRESENT BY TELEPHONE)
MS. RHONDA ROBERTSON
MR. MONTIE WISENOR
MS. TONYA BURKS

MR. FLOYD:
Let's do the Pledge of Allegiance.
(Pledge of Allegiance.)
MR. FLOYD:
All right. Roll Call.
MS. BARON:
George Floyd?
MR. FLOYD:
Here.
MS. BARON:
Obaydah Alsalemeh?
MR. ALSALEMEH:
Here.
MS. BARON:
Matthew Pederson?
MR. PEDERSON:
I'm here.
MS. BARON:
Jefferey Britt?
MR. BRITT:
Here.
MS. BARON:
Ricky Donnell?
MR. DONNELL:
Here.

MS. BARON:
Travis Brown?
MR. BROWN:
Here.
MS. BARON:
Bobby Hines?
MR. HINES:
Here.
MS. BARON:
And Wydette Williams?
MR. WILLIAMS:
(No response.)
MS. BARON:
Mr. Chairman, we have a quorum.
MR. FLOYD:
Do we have any public comments?
MS. BARON:
No, sir. We do not.
MR. FLOYD:
All right. Adoption and approval of the previous minutes from the last meeting?
MR. BRITT:
I make a motion.
MR. BROWN:
Second.

MR. FLOYD:

I have a motion and a second.

Item for financial matters.

MR. KRAUS:

Good morning. My name is Drew Kraus. I am a CPA with TWRU-CPAs and we conducted the financial statement audit for the fiscal year that ended 6/30/23. I put a copy of both the Financial Statement Audit and the Statewide Agreed Upon Procedures Engagement which we conducted in front of you.

I am just going to kind of good over the highlights. I also included my card if you have any further questions, please feel free to reach out.

That was a clean or unmodified audit opinion. As usual, Derek and his staff did an excellent job keeping the books for y'all. Y'all had a net income of approximately $59,000 last year. And I wanted to point out that there -- most of that came from nonoperating revenue. Your investments did exceptionally well because of interest rates last year were exceedingly high as I am sure everyone can attest. So just keep that going. Keep that in

mind going forward when you start getting into your budget in the next few months.

We also had your cash position was essentially the same as the previous year at over $2 million. Y'all are sitting very well with your cash. We also need to keep in mind FDIC limits and your pledged securities. Whenever y'all are going forward, the State requires you to have collateral or insurance to cover all of your cash deposits and y'all are getting close to the limit between your -- between your FDIC insurance and your pledged securities that y'all have at -- I think it was at New York Bank, which is typical for government agencies. So just keep that in mind.

We did have one finding. If you turn towards the end of the audit report and it was dealing with your budget. According to State law, you are only allowed a 10 percent variance, or something to that effect, between your budget and your actual end-of-year numbers. And y'all had some larger differences than that.

Usually what I recommend to clients,

especially ones that meet as often as you do, is in May and/or June, revisit the budget to make sure it is going to line up with your actual numbers as of 6/30. That way you can amend the budget without any issue and your numbers are going to pretty much coincide with your end-of-fiscal year numbers. That way you won't find this on your report again.

We also had the SAP report, which is the smaller packet that you have. And we only had one finding. It dealt with bank reconciliations. Just the dates weren't within two months which are required by the State.

So these are the only things that we had. They were very, very minor things and Derek and his staff have already assured me that they will correct these going forward into the next year.

That's pretty much the highlights. They did a very good job, like I said, keeping the books for y'all. We didn't have any issues. Everyone was professional and was very attentive to whatever we had to request from them.

Do y'all have any questions for me?

As I said, you have my card and my contact information or reach out to Kim or Derek or Rhonda, they can all get in touch with me. And I will be happy to answer any questions that you have. Thank you.

MS. ROBERTSON:

As far as Drew's report with the bank recons, again that was the mix-up with Mona leaving and me coming in and not having anybody in. So it took us a minute to catch up, but we will fix that in the future. We are going to be on point, okay.

And now for our financial report. If you look at page 1. The balance in the bank account on December 31, was $2,297,549.39. The current liabilities total on page 2 is $158,183.09. Total liabilities were $5,899,113.13. The total net position is a negative $1,003,402.58. But let's keep in mind, once again, that includes the OPEB liability.

So if we turn to page 3, that will start our statement of revenues and expenses. So for the month of December, our year-to-date revenues from the UD license shows an increase

of $1,825. The UP license has an increase of $4,100. And the CS license has an increase of $1,300. And our reinstatement fees has increased. It has an increase of $6,825. Revenue from the PTA convenience fees increased by $2,540.

And on page 4, you would notice that the year-to-date office salaries are $268,301.77 compared to last year's $239,240.96 is due to us hiring four additional staff up here in the front.

And the chart on page 6 shows the increase in licenses from July through December. And we have been showing a steady increase now that we are in renewal season.

And on page 7 for all of our CDs renewed for 2023. We have three that will be renewing in January of '24. And on page 8 is our accounts receivable hearing fines which was $4,566.70. We only collected $15,000 which was a payment from Matamoros.

And also you should have received an email from a company called Paychex. That's our new payroll system. So if you keep up with your check stubs or payments from us, it is

going to be coming through them now instead of the Easy Stub that we were using before. So you just have an account on there through that email and you will receive your check stubs when you get payments from us.

MR. BRITT:

I didn't know if that was a scam, spam, or what.

MS. ROBERTSON:

Do we have any questions?

MR. BRITT:

When do we need to get that done?

MS. ROBERTSON:

There is no deadline, just whenever. Because I think this will be the first month that we process the payment for you-all.

If there are no questions, that will conclude the financial report.

MR. DONNELL:

Make motion to accept.

MR. BROWN:

Second.

MS. MORRIS:

Who is going to present the Matamoros issue?

MS. BARON:

That will be Derek.

MS. MORRIS:

Mr. Parnell, are you ready to proceed?

MR. PARNELL:

Yes, I am.

MS. MORRIS:

I believe Mr. Matamoros is here.

MS. BARON:

Yes. Both of them are here.

MS. MORRIS:

Can you-all come to the podium in case there are questions?

Is this going to be a hearing? Or is this just going to be some information because there is an existing order for Matamoros?

MS. BARON:

It is a request. Go ahead.

MR. PARNELL:

It is a request. It is a request being that we had our hearing November 14 of 2022 for Matamoros. They were assessed fines totaling $250,000. The order stated in that -- those fines that the initial payment that they

should make is $50,000 and $15,000 per month thereafter. The dealer has made payments consecutively every month which has them a total of $215,000.

The dealer communicated to the staff and that he is making a $20,000 payment, which I understand that he is bringing with him today to the office, which will give him a total $235,000 paid. He asked that if he can conclude the payments and waive the remaining $15,000. I did advise the dealer that I don't have a problem with that because he has actually done a really great job at making payments throughout his violation. But I would need to present that information to the Commissioners and we would need a Commission judgment.

What I would ask, Commissioners, is that we accept the payment of -- suspend the remaining $15,000 with stipulations. The stipulation being that they are on probation. If no reported violations are done within the next 12 months, the remaining $15,000 would be suspended. If any reported violation is done within the next 12 months, the remaining

$15,000 would become due immediately.

So with that said, Commissioners, I ask that you accept the $20,000 payment as, I guess, their final payment and move -- look towards suspending the remaining $15,000 with probation stipulations for the dealer for the next 12 months.

MR. HINES:

I agree with Derek and make that motion.

MS. MORRIS:

Did we want to verify they have the $20,000 and verify with Mr. Matamoros that he does not object to the conditions that Mr. Parnell mentioned of being under probation for 12 months?

MS. BARON:

That's the copy of the cashier's check that he brought this morning.

MS. MORRIS:

Just the record, Mr. Matamoros is here present and he has someone also present with him. Can you give us your name for the record?

MR. JOEY MATAMOROS:

Joey Matamoros, Jr.

MS. MORRIS:

And you are providing translation services for Mr. Matamoros?

MR. JOEY MATAMOROS:

Yes.

MS. MORRIS:

I was just trying to have all of the information on the record. So you are here just as a translator; is that correct?

MR. JOEY MATAMOROS:

Yes.

MS. MORRIS:

So we have a motion.

MR. HINES:

I make the motion.

MR. ALSALEMEH:

Second.

MR. FLOYD:

Motion approved. So we are going to accept the agreement.

All in favor?

(All "Aye" responses.)

MR. FLOYD:

Any opposed?

(No response.)

The Ayes have it.

MS. BARON:

That is his copy of the cashier's check. He just wanted to show y'all that he had brought it.

MS. MORRIS:

So we will issue an amended order that will have the new terms in it and showing that the remaining $15,000 will be suspended and the license will be issued on probation -- will be on probation for 12 months. In the event that during the 12-month period there is a violation, then the $15,000 would be immediately due and payable. If there are no violations within the probation period, then the $15,000 would be suspended.

Thank you.

MR. JOEY MATAMOROS:

Thank you.

MR. FLOYD:

All right. So we are going to move to the enforcement report. Montie.

MR. WISENOR:

Yes, sir. I have the monthly

production field totals for the months of November and December of '23. The monthly field production report for November were there were 17 audits conducted. There were 2 notice of revocations issued. There were 65 site visits conducted. There was one cease and desist issued. There were 19 registration or titles that were assisted in consumers receiving. There were no violations issued. There were 2 refunds that were assisted in issuing -- or being received by consumers, which total $5,000.21. There were 8 cases that were closed that were assigned cases -- I am sorry, 18 cases were closed, cases that were assigned. There were 21 cases closed that were not assigned. And there were 20 physical inspections conducted.

For December of '23, there were 4 conducted -- audits conducted. There was one notice of revocation issued. There were 71 site visits conducted. There were no cease and desist issued for that month. There were 20 titles or registrations that were assisted in consumers receiving. There were 6 violations issued. There was 1 refund which totaled $350.

There were 20 cases closed that were assigned. There were 29 cases closed that not were not assigned. And 14 physical inspections conducted for the month of December.

And those are the totals from November and December of '23.

MR. FLOYD:

All right. Commissioners, do you have any questions?

Okay. We have the executive director's report.

MS. BARON:

Mr. Parnell.

MR. PARNELL:

I'm here. Yes. I really don't have quite a bit to discuss. Our renewal season has been going very well, very efficient with the hiring of the additional staff.

Ms. Burks, she is present. Can you give some of the information to the Commissioners, the information about dealer plates as it relates to the last two years, 2022 and 2023, where we are through August to December.

MS. BURKS:

Okay.

MR. PARNELL:

Do you have those numbers?

MS. BURKS:

I do. Just to let y'all know that we did sell the dealer plates last year. Our numbers actually have doubled from last year and I think they will continue going up especially as the dealers know that we are actually renewing these plates.

We are going to have a meeting with Loren, she is part of the Office of Motor Vehicles. She is actually getting us all set up for the dealer plates. Just trying to expand it.

We could do, like, motorcycle plates but we cannot, of course, give out new plates for motorcycles. So I just want to meet with her and just try to have some type of conversation of how we can expand it, but our numbers have increased.

Just an example, like, last year in August -- well, of '22 had two plates. This year -- well, in '23, we had 45. And just going back to December in '22, we did 9. And

in '23 we did 200. So our numbers did double.

So I just wanted to give you an update to let you know that we are doing pretty well now.

MR. DONNELL:

So, Tonya, you are saying that anybody can walk in here, public and all, and needs a renewal sticker, we can do that?

MS. BURKS:

Right now it is just the dealers.

MR. DONNELL:

We can't give out plates.

MS. BARON:

Just for the dealers.

MR. DONNELL:

Oh, okay.

MS. BURKS:

Now, we have the capability to do it.

MR. PARNELL:

We have the authority to do.

MS. BURKS:

So right now we just focus on the dealers.

MR. PARNELL:

We concentrate specifically on the

dealer side giving that convenience to our licensed dealers. But there is -- there is an avenue for growth if that is something we wanted to look into to moving forward. That's why we are going to have that discussion with the Office of Motor Vehicles and see what kind of parameters that are out there for us. Okay.

Thank you, Tonya, for that.

MS. BURKS:

You're welcome.

MR. PARNELL:

And, Rhonda, we've gone with Paychex. We have outsourced the payroll process with Paychex. Just to continue moving forward, progressive forward with our agency and get more efficient on what we are doing. We found that the cost of outsourcing of that was minuscule in relation to, you know, the process of processing it per se.

So with that said, we are looking towards the regular legislative session begins -- I think if I am not incorrect March 11 for the regular legislative session. This current year we don't have any legislative packet that we are putting forward.

But one thing we are doing is kind of making sure that we're not running into situations where we have someone putting some language out there that affects our dealers. So we have all of our, quote/unquote, feelers out there. We will make sure that we are monitoring legislation just to see if anything does pop up outside of -- that we don't know as of yet. That's all that I had.

Once again, Commissioners, I do apologize I was not able to be present today, but I was doing it for your best interest.

MR. FLOYD:

Okay. Thank you, Director Parnell. Ms. Kim, we are moving to items for the next agenda.

MS. BARON:

There may be public comments for the next agenda. I was supposed to have public comments this morning, but they emailed me and said they would have to reschedule. So that might be the only one for next month, but that's not confirmed yet but.

MR. FLOYD:

Okay. So up next we have a hearing.

So we will take a small recess for ten minutes.

(Meeting recessed at 9:53 a.m.)

REPORTER'S CERTIFICATE

I, BETTY D. GLISSMAN, Certified Court Reporter, Certificate No. 86150, in and for the State of Louisiana, do hereby certify that the Louisiana Used Motor Vehicle Commission January 24, 2024, meeting was reported by me in the stenotype reporting method, was prepared and transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my ability and understanding.

February 7, 2024, Baton Rouge, Louisiana.

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BETTY D. GLISSMAN, CCR

CERTIFIED COURT REPORTER

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