

**WEIGHTS AND MEASURES COMMISSION MEETING**  
**June 18, 2014**  
**9:30 AM**

**Louisiana Department of Agriculture & Forestry Building**  
**Veterans Memorial Auditorium**  
**5825 Florida Boulevard**  
**Baton Rouge, LA 70806**

**I. CALL TO ORDER**

Mr. Mike Miller, Chairman, called the meeting to order at 9:40 a.m.

**II. ROLL CALL AND DECLARATION OF QUORUM**

COMMISSION MEMBERS PRESENT

Mike Miller  
John O'Neill  
Dave George  
Larry Terrell  
Frank LoPinto  
Marcy LeBlanc Sr  
Joseph Al Moreaux

MEMBERS ABSENT

Justin Alford  
Nolan Percy  
Brad Terral

STAFF MEMBERS PRESENT

Assistant Commissioner, Office of Agro-Consumer Services, Benjy Rayburn  
Director, Weights and Measures Division, Dr. Steve Sessums  
LDAF Legal Counsel, Chris Mora  
LDAF Deputy Commissioner, Brett Robbins DVM  
Program Manager, Archie Lambert  
Program Manager, Milton Hunter  
Program Manager, Jarrad Poirrier  
Assistant Division Director, Richert Williams  
Regional Enforcement Supervisor, Earl Thomas  
Administrative Assistant V, Lisa Sonnier

**DECLARATION OF QUORUM**

With seven members being present, Chairman Miller declared a quorum.

**III. PUBLIC COMMENT**

None

**IV. APPROVAL OF MINUTES – MARCH 20, 2013**

Motion made by Mr. Marcy LeBlanc and seconded by Mr. Frank LoPinto.  
All members were in favor.

**V. APPROVAL OF DIRECTOR**

Motion made by Mr. Dave George to approve Dr. Steve Sessums as the new Director of Weights and Measures Commission. Motion seconded by Mr. Al Moreaux. All members were in favor.

Mr. Mike Mille made a request that a thank you letter be sent to Mr. Todd Thompson from the Commission thanking him for his years of service with the Commission. Motion made by Mr. John O'Neill and seconded by Mr. Dave George. All members were in favor.

**VI. UPDATE ON WEIGHTS AND MEASURES ACTIVITIES**

Mr. Jarrad Poirrier, Fuel Program Manager presented the Commission with a slide show of the new commercial Win Wam software program and gave a brief explanation of the different tabs in the business files of the program. Mr. Poirrier then explained the benefits the office personnel and inspectors have experienced with the new Win Wam program.

**Mr. Poirrier presented a detailed overview of the Motor Fuel Program.**

Starting with the count of stations and nozzles in the state, then he explained how the inspectors handle a routine gas station inspection and how the Department handles water complaints. Mr. Poirrier updated the Commission on the new equipment recently purchased for the fuel lab the gum and ethanol tester.

Mr. Poirrier also discussed how the Department is working on a way to track where noncompliance fuel is going when it leaves the gas stations.

Mr. John O'Neill wanted to know if we had any problems with the gas stations that advertise no ethanol and Mr. Poirrier said no.

Mr. Poirrier also updated the Commission on how stations are now selling conventional and ethanol fuel thru a single hose dispenser. Our Department is looking into adopting an EPA regulation, which would require the station to have a sign that lets the consumer know if you get less than 4 gallons of conventional fuel, you could be getting a certain percentage of ethanol fuel.

**Mr. Hunter presented a detailed overview of the Price Verification program.**

Starting with the number of annual routine price verification inspections, then he explained the difference between a normal inspection and increased frequency inspection. Then Mr. Hunter explained how the inspector performs a price verification inspection.

Mr. Larry Terrell wanted to know if every store in the state with a scanning device is checked each year. Mr. Hunter replied yes, and Mr. Terrell wanted to know if we check for prices not being displayed in the stores and Mr. Hunter said yes.

Mr. Larry Terrell wanted to know why we never have anybody with price issues in parishes such as Orleans, St. Tammany, Tangipahoa, and East Baton Rouge everything he has seen in the last 5 years as a Commission member is from the Northwestern area. Mr. Rayburn and Mr. Hunter addressed this question.

Mr. John O'Neill wanted to know what issue or factor determines when a case goes before the Commission. Mr. Hunter replied we look into the history of the store for failure rate.

Mr. LoPinto wanted to know how much we charge for the fees; Mr. Hunter explained the fees for scanners and scales.

Mr. LeBlanc wanted to know at what time of the year we send the invoice out for payment. Mr. Hunter said October 15 of each year.

**Mr. Lambert presented a detailed overview of the scale program.**

Starting with the registration fee for each commercial weighing and measuring device, In addition, he explained the fee for each annual weigh master license if a location has a large capacity class 3 scales they have to have a weigh master on site

Then Mr. Lambert talked about his taximeter program and informed the Commission of the Uber, which is a new app for the I-Phone for when you need a ride somewhere. New Orleans and Baton Rouge are trying to get this app and the city is looking to our Department on how we are going to regulate the Uber and we have no solution for that yet but we are working on it.

Mr. Lambert then went into the mass flow meter program, which is the device the plants and industries use to fill tank cars, trucks, and trains with fuel, Mr. Lambert then talked about the Dairy milk tank inspection program through which we only regulate three milk tanks now because that industry has declined.

Mr. Lambert then updated the Commission on the belt conveyor scales program we only check two certified conveyor belts in the state of Louisiana and the reason for that is because they cannot meet handbook 44 requirements for either installation or testing.

The last program Mr. Lambert updated the Commission on was the package inspection program.

Mr. O'Neill asked Mr. Lambert where we stand in regards to our large test trucks. Mr. Lambert explained the plans for our large test trucks.

Mr. O'Neill wanted to know if the law allows a company to have an LDAF inspector on site when a scale company is checking a large scale. Mr. Lambert said yes.

The Commission asked Dr. Steve Sessums to tell them a little about himself.

**VII. OLD BUSINESS:**

None

**VIII. NEW BUSINESS:**

Mr. O'Neill wanted to know due to the budget cuts do we have any positions opened for new inspectors, or do we have all our inspectors in place. Mr. Rayburn addressed this question.

Mr. O'Neill wanted to know with the budget cuts as it is are there any plans to replace Danny McCartney position. Benjy replied not currently

Mr. Rayburn explained to the Commission one reason Agro-Consumer service/Weights and Measures is shielded from budget cuts is because our money is Self-generated, and all the budget cuts were primarily state general funded dollars.

Mr. Rayburn informed the Commission the Weights and Measures budget for the coming FY 14/15 increased by 84,000 dollars. The way the budget works in state government is that you are given the authority to spend more money if & when it becomes available. This makes the budget look bigger but the money may not become available.

**IX. PUBLIC COMMENT**

None

**X. NEXT MEETING DATE:**

Will contact members of next meeting

**XI. ADJOURNMENT:**

motion made by Mr. LeBlanc that the meeting be adjourned, and seconded by Mr. Frank LoPinto meeting adjourned at apporximately 11:00am.

  
Mr. Mike Miller, Chairman