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LOUISIANA USED MOTOR VEHICLE COMMISSION
STATE OF LOUISIANA

REGULAR MEETING
JANUARY 24, 2022
BEGINNING AT 9:30 A.M.
LOUISIANA STATE ARCHIVES
3851 ESSEN LANE
BATON ROUGE, LOUISIANA

REPORTED BY:
BETTY D. GLISSMAN, CCR

1 APPEARANCES:

2

3 CHAIRMAN:

MR. RICHARD WATTS

4

5 COMMISSIONERS PRESENT:

MR. TRAVIS BROWN

6

MR. JEFFEREY BRITT

7

MR. TONY CORMIER

8

MR. RICKY DONNELL

9

MR. GEORGE FLOYD

10

MR. ROBERT "BOBBY" HINES

11

MR. MATTHEW PEDERSON

12

MR. JOHN POTEET

13

MR. MICHAEL RUSSELL

14

15

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18

REPRESENTING THE LOUISIANA USED MOTOR

19

VEHICLE COMMISSION:

20

21

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

22

23

24

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

25

1 ALSO PRESENT:

2 MS. KIM BARON

3 MR. DEREK PARNELL

4 MR. MONTIE WISENOR

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1 MR. WATTS:
2 Roll call, Kim.
3 MS. BARON:
4 Richard Watts?
5 MR. WATTS:
6 Here.
7 MS. BARON:
8 John Poteet?
9 MR. POTEET:
10 Here.
11 MS. BARON:
12 George Floyd?
13 MR. FLOYD:
14 Here.
15 MS. BARON:
16 Tony Cormier?
17 MR. CORMIER:
18 (No response.)
19 MS. BARON:
20 Matthew Pederson?
21 MR. PEDERSON:
22 Here.
23 MS. BARON:
24 Jeffery Britt?
25 MR. BRITT:

1 Here.

2 MS. BARON:

3 Ricky Donnell?

4 MR. DONNELL:

5 Here.

6 MS. BARON:

7 Michael Russell?

8 MR. RUSSELL:

9 (No response.)

10 MS. BARON:

11 Travis Brown?

12 MR. BROWN:

13 Here.

14 MS. BARON:

15 Bobby Hines?

16 MR. HINES:

17 Here.

18 MS. BARON:

19 Mr. Chairman, we have a quorum.

20 MR. WATTS:

21 Anybody for public comments?

22 MS. BARON:

23 No, sir.

24 MR. WATTS:

25 Could we have adoption of approval of

1 the minutes from December meeting. Do we have
2 any? None?

3 MS. BARON:

4 Did y'all get them?

5 MR. DONNELL:

6 I didn't see them.

7 MS. BARON:

8 We can defer to the next meeting.

9 MR. DONNELL:

10 I make a motion we move it to the
11 next meeting.

12 MR. WATTS:

13 I need a second.

14 MR. BROWN:

15 I will second.

16 MR. WATTS:

17 We have items for discussion. First
18 item is review of contracts.

19 Does someone want to take the lead on
20 this?

21 MR. DONNELL:

22 Derek, do you want to go through what
23 all of them are?

24 MR. PARNELL:

25 Commissioners, we were requested that

1 we submit contracts so we can have a discussion
2 about contracts for the Louisiana Used Motor
3 Vehicle Commission.

4 In your packet, you will find the
5 first one would be Robert Hallack's contract.
6 All of the contracts have gone through the
7 State process of procurement, which is
8 typically a very lengthy process. For both
9 attorneys, their contracts are maxed out -- or
10 not maxed, they are budgeted at 40,000. That
11 is typically how we budgeted for attorney
12 contracts. That way we would not have to
13 continue to come back and make amendments
14 throughout the year. Typically, we probably
15 spend -- services typically run about 20,000 to
16 \$25,000 or so.

17 The second one in there is Sheri
18 Morris'. Both of those contracts are pretty
19 much the same. All of the attorney contracts
20 have to go through the Attorney General's
21 Office, Civil Service, General Counsel's
22 Office, Legislative Auditors, Division of
23 Administration Office in order for approval to
24 be assigned.

25 The third contract that you will see

1 in there for our court reporter, Ms. Betty
2 Glissman.

3 MR. DONNELL:

4 How much do we have budgeted for
5 Ms. Betty?

6 MR. PARNELL:

7 40,000 as well.

8 And Roy Hebert, who is our CPA, we
9 have his budget at 24,000.

10 MR. DONNELL:

11 I assume that's Mr. Hebert. We never
12 met.

13 MR. PARNELL:

14 Yes, this is Mr. Hebert.

15 MR. DONNELL:

16 Thank you for coming here this
17 morning.

18 MR. BRITT:

19 His budget is what now?

20 MR. PARNELL:

21 24.

22 MR. DONNELL:

23 How long has Mr. Hebert been with us?

24 MR. PARNELL:

25 I came on the Commission in 2009. I

1 think that he was brought on right before then,
2 maybe 2008, early 2009. I am not really sure.

3 MR. HEBERT:

4 I didn't get there much before you
5 got there.

6 MR. PARNELL:

7 So I came November of 2009. And I
8 think he started when we had that transition
9 from the old -- I think that was in June or
10 July of 2009.

11 If you look at what was budgeted, all
12 total contracts was budgeted at the \$201,998 at
13 the end of last fiscal. Of course, we had
14 pandemic -- global pandemic. The total spent
15 of that budgeted fiscal year that ended June of
16 June 30th, 2021, was \$62,000.

17 MR. BRITT:

18 With Mr. Hebert, with Mona being
19 gone, do you anticipate any more expenses
20 dealing with Mr. Hebert's office until we get
21 kind of things leveled back out?

22 MR. PARNELL:

23 Yes, yes.

24 MR. BRITT:

25 Do you have a safety net built in?

1 Or what is that going to cost? I mean, we
2 don't know what it will cost. I'm not holding
3 you to it. Do you have a safety net somewhere
4 to draw from to reimburse Mr. Hebert's future
5 expenses if he has got to step it up a notch
6 because Mona is gone.

7 MR. PARNELL:

8 Yes, yes.

9 MR. BRITT:

10 That is the answer to my question.

11 MR. PARNELL:

12 Again, I don't know what it's going
13 to take.

14 MR. BRITT:

15 Absolutely. That's why I asked the
16 question, I put that out front there. There is
17 no telling.

18 MR. PARNELL:

19 It make take a little bit more than I
20 thought primarily because of the other young
21 lady that was in the department and I was going
22 to talk to her, she has also turned in her
23 resignation. So her last day is Friday. So I
24 do now have a new person starting on tomorrow,
25 but, of course, they are brand new. They

1 really don't know our system.

2 MR. BRITT:

3 Do they have government experience?

4 MR. PARNELL:

5 They do have some limited experience
6 coming from a State agency. But they are
7 coming in at one of the lower levels of account
8 positions. We have four positions in the
9 accounting department.

10 MR. DONNELL:

11 Not for Ms. Mona's position.

12 MR. PARNELL:

13 No, no. I have an Account
14 Supervisor, Account 1, Account Technician,
15 Account Specialist. She is coming in at the
16 lowest-level position. Really to kind of help
17 us through right now in the renewal period, of
18 course, to kind of help us to get through, you
19 know. Once the funds come in, the accounting
20 department has to put those funds onto the
21 account so the licensing department can process
22 the applications.

23 When she left, it kind of got really
24 backed up. Kim had knowledge of how to do that
25 so she has been jumping in wherever. Most of

1 the staff, because we have knowledge of how to
2 continue the process, we jumped in to do to.
3 Mona is currently working on a part-time basis.

4 MR. BRITT:

5 Did we have a contract for her?

6 MR. PARNELL:

7 I do not. She is a State employee.
8 Once they retire, they can come back. I can
9 bring them back on. They can only work eight
10 hours a week.

11 MR. BRITT:

12 I didn't know if you had a contract
13 with her.

14 MR. PARNELL:

15 She only works eight hours per week.
16 So that's kind of limits quite a bit. She
17 wasn't really sure how many hours she would be
18 able to work a week, but once we found out.

19 MR. DONNELL:

20 But she is helping us with the
21 transition?

22 MR. PARNELL:

23 She is helping us with the transition
24 but it is going to be somewhat limited. I did
25 put out application. We posted for the

1 supervisor position. I did it twice looking
2 for someone.

3 Mr. Hebert, he has -- I sent him all
4 of the job descriptions. I sent him, you know,
5 what we received back and he's kind of gone
6 through it with me we have talked about, you
7 know, persons that we do want to bring in and
8 do interviews with. He is going to assist me
9 throughout the interviewing process.

10 MR. DONNELL:

11 Mr. Hebert, are you helping to find
12 somebody in this position.

13 MR. HEBERT:

14 I am not as familiar with the
15 particular software that the Commission is
16 using for their accounting. But, you know, I
17 mean, accounting software is pretty much
18 accounting software. It is just the process
19 itself. So, I mean, yes, we can help with
20 that.

21 MR. PARNELL:

22 Again, with the accounting side of
23 things totality, yes, he can help us with that.
24 But as far as, like, our processing program and
25 how it works within that program, that's

1 something that he would get further assistance
2 from persons with learning the program.

3 MR. DONNELL:

4 Okay. Any other contracts?

5 MR. PARNELL:

6 I do have Transformyx which is our
7 IT. They are basically -- that's an agreement.
8 It is pretty lengthy one there. The State of
9 Louisiana, they don't allow you -- well, 29,999
10 is the max that we can do as it relates to
11 them. They are available for our staff office
12 24 hours a day. Whatever issues you have
13 IT-wise, we can reach out with them and they
14 will assist us through that process. It's been
15 working really well. We went through
16 Transformyx. Before that we had Keith Horton,
17 who was a very small IT person and we weren't
18 able to really get the amount of attention that
19 we need as often as we needed it, because we,
20 at the office, have grown quite a bit. We've
21 just gone through the process of issuing out
22 laptops for the entire staff to make sure that
23 we are able to have processing in a mobile
24 session -- in a mobile setting. We are able to
25 all work remotely at this point. That's

1 significant and it kind of helps us really
2 continue the process of licensing so that way
3 we aren't really going to not be able to work.

4 You know, with the pandemic, offices
5 were closed and we never really stopped
6 actually working. Everybody was just working
7 remotely. It worked out pretty well.

8 I didn't add this one. The
9 legislative auditor, Mr. John McKowen, he comes
10 in once a year and audits all of our financial.
11 He just did his audit. His cost is \$8,000 on
12 his contract.

13 So that is it.

14 MR. DONNELL:

15 So where is your contract?

16 MR. PARNELL:

17 Never had a contract. When I was
18 brought on November of 2009, I was just brought
19 on as an unclassified State employee. I do
20 know that the gentleman who was in the interim
21 prior to me coming on, he had a contract. But
22 I just never thought that executive directors
23 got contracts, so.

24 MR. DONNELL:

25 I think it would be in your best

1 interest to have a contract.

2 MR. PARNELL:

3 Let me ask Sheri. You deal a lot
4 with state agencies. Do those state agencies,
5 do the directors have a contract in place. If
6 they are consulting capacity, possibly but not
7 day to day.

8 MS. MORRIS:

9 The executive director serves at the
10 pleasure of the board. And some of the boards
11 are appointed for terms; some of them serve at
12 the pleasure of the governor. So none of them
13 have a contract. They are at-will employees.
14 Only exception that I know to that are the
15 retirement boards. Their executive directors
16 do have contracts for that. I am not aware of
17 any.

18 Roy might know from some of the
19 boards he works. There are many that are just
20 appointees. I was an unclassified employee of
21 this agency with the Secretary of State and we
22 didn't have a contract, just appointment.

23 MR. BRITT:

24 Derek, your best interest, like what
25 Ricky said, and I understand most places don't,

1 but let us run the track on that and give it to
2 the director to see what we find out and if it
3 is. We need to do it for your best interest.

4 MS. MORRIS:

5 Well, I don't know that the board can
6 bind to it a term. So most of the executive
7 directors I am aware of, they just have a
8 salary set by the board.

9 MR. BRITT:

10 They are appointed by the board.

11 MS. MORRIS:

12 And job description so they are
13 required to have that.

14 MR. PARNELL:

15 Because most contracts you haven't an
16 extended time periods. They are one year. The
17 State only allows you to do 12 months. If you
18 need to extend stuff, you can get it.

19 MR. DONNELL:

20 I guess what I would like to call to
21 a vote is, we would like to approve each and
22 every contract because it goes in that budget
23 and then, you know, we go approve budget and
24 then everybody's contract is approved. We like
25 to do them individually. Before it goes -- or

1 we can do it the day that we approve the
2 budget. We want to do y'all individually.

3 MR. PARNELL:

4 Okay.

5 MR. DONNELL:

6 Do we need a vote on that?

7 MR. BRITT:

8 We need to word it right. I guess,
9 the point of it is we don't want to blanket all
10 of these contracts into budget and then we have
11 the budget meeting and we just say okay, we
12 approve the budget, and that automatically
13 approves the contract.

14 MR. PARNELL:

15 Typically, we start our contracts,
16 like, for the next -- it takes a long time.
17 There are so many processes and so many
18 different agencies that have to approve the
19 contract itself. So we typically start at the
20 end of February and March just for the next
21 fiscal year beginning in July.

22 So are you saying that you want at
23 the point when we start the process looking at
24 the contracts?

25 MR. DONNELL:

1 Before we vote to approve the budget.

2 MR. PARNELL:

3 Yes, yes.

4 MR. BRITT:

5 That's the whole point. Before it
6 comes up in the budget, we walk in here and you
7 got the budget and we approve the budget,
8 everybody's. I think that what the Commission
9 would like to see, us go through each one of
10 them real quick before. So we know everything.

11 MR. PARNELL:

12 Basically, go through the contract
13 services that was rendered the year prior.

14 MR. BRITT:

15 Yes.

16 MR. WATTS:

17 Just like at the end of March all of
18 the contracts. All of them end at the end of
19 March?

20 MR. PARNELL:

21 Well, we start the process, but it
22 starts -- it goes all of the way up to June.

23 So I will look at February and March.

24 MR. DONNELL:

25 Do you have a problem with that,

1 John?

2 MR. POTEET:

3 I was here when we hired him and we
4 never had a contract. I don't have any feeling
5 about it. I don't know what it does for us.
6 It is okay with me. Right now he serves at our
7 pleasure. If we decide to fire today, we would
8 note on it to fire him. We decide to keep him
9 on, we just keep him.

10 MS. MORRIS:

11 Every contract that you have has a
12 30-day out. It also has a non-appropriation
13 clause. So all of us -- Roy, Robert, Betty,
14 and myself, we only do the work that we are
15 assigned. So they are all on hourly or
16 assignment based. And they all have a 30-day
17 termination. So you can give any of us notice
18 of termination. The one contract you didn't
19 cover was landscape. That's a little bit
20 different. That's a different procurement.

21 MR. WATTS:

22 That's the most important.

23 MS. MORRIS:

24 It is a little different than the
25 procurement for professional services.

1 MR. WATTS:

2 Do you bid that out? Landscaping?

3 MR. PARNELL:

4 I do, yes. I have to. Landscaping,
5 and building maintenance, you know, coming in
6 and cleaning up, I bid that out.

7 MR. WATTS:

8 Is that when you start doing the
9 contracts in March? Or February?

10 MR. PARNELL:

11 Yes, February, March, we start the
12 process, you know. As I say, going through
13 that many approvals before we even get to the
14 final document.

15 MR. DONNELL:

16 That we need it approved, the final
17 document.

18 MR. PARNELL:

19 Okay.

20 MR. DONNELL:

21 Before the budget.

22 MR. PARNELL:

23 So what I will do is this. At that
24 first meeting, I will say I will look at it.
25 These are the contracts that we have out here.

1 This is what I am looking at.

2 MR. DONNELL:

3 That is going into the budget.

4 MR. PARNELL:

5 That's going into the budget.

6 MR. DONNELL:

7 Well, we want to approve them
8 individually before they go into the budget.

9 MR. PARNELL:

10 Okay. Like, what we have typically
11 have done, the max amount we are kind of
12 conservative. For example, the attorneys, as I
13 was stating before, we kind of -- we budget for
14 40,000. But for the way we work with the
15 attorneys, it is hourly and kind of what is
16 assigned to them to work. So we never actually
17 even come close to that maxed-out budget part
18 of it. Not a problem in doing that.

19 MR. WATTS:

20 How much did you budget for
21 currently?

22 MR. PARNELL:

23 40,000 each.

24 MR. WATTS:

25 We don't come close to that?

1 MR. PARNELL:

2 No, we don't. We normally run around
3 21 or 27. So it just depends on what is going
4 on. Legislative session usually is when we
5 will spend the most during that time if we have
6 a lot of hearings or anything like that. So,
7 yes, we never really get close to that.

8 MR. WATTS:

9 Does anybody have any more questions
10 on these contracts? Everybody good?

11 All right. Next up on legal matters.
12 We have Talion Talley.

13 MS. MORRIS:

14 You might recall at the last hearing
15 that we had, Mr. Talley wanted to work at
16 another dealership prior to the hearing.
17 Mr. Talley filed bankruptcy after the
18 Commission's order was issued and we filed in
19 the bankruptcy -- we used to be able to file a
20 notice of claim in the bankruptcy. Now we have
21 to file an ancillary suit to preserve that debt
22 from being discharged, which we did. And we
23 had a scheduling conference with the judge last
24 week. And Mr. Talley has agreed to pay the
25 fine. So we deferred scheduling in the case

1 hoping that we can avoid legal expenses there.

2 Mr. Talley has agreed to pay the fine
3 that is not discharged by the end of the month.
4 And if he does so, we will dismiss the suit and
5 go forward. If he does not, then we have a
6 scheduled date of February 17 with the court to
7 reset the dates.

8 MR. DONNELL:

9 Is he going to pay the whole fine?

10 MS. MORRIS:

11 He said that he was going to mail it
12 today. It was going to be mailed today.

13 MR. DONNELL:

14 Maybe I was mistaken, but we already
15 give Derek up to \$10,000 each discretion on how
16 to handle it any kind of way.

17 MS. MORRIS:

18 Correct. Mr. Talley would not come
19 forward with the payment plan as he was
20 supposed to. He filed bankruptcy and so we
21 filed in the bankruptcy so he couldn't have
22 that debt discharged.

23 If it's a discharged debt, then he
24 could fight it saying I don't have to pay it.
25 So to avoid that, we filed a suit saying that

1 our claim is not dischargeable.

2 The attorneys representing Mr. Talley
3 in the bankruptcy said that they agreed with us
4 that they were not representing him in the
5 ancillary suit. So Mr. Talley again didn't
6 respond, didn't respond, and come forward with
7 a payment plan even though he told us that he
8 was going to until the day of the court.

9 MR. PARNELL:

10 We spoke early on, like, maybe once,
11 I could never really get in touch with him
12 after that.

13 MR. WATTS:

14 You didn't have a conversation with
15 him?

16 MR. PARNELL:

17 Early on. We couldn't really get
18 anything set.

19 MS. MORRIS:

20 He e-mailed the office right before
21 the conference. So we confirmed him verbally
22 that he would pay. We told him that it would
23 have to be certified funds. And he stated that
24 he would mail the certified funds to the
25 Commission office today. And provided it is

1 received by the end of the month, we will
2 dismiss the suit.

3 MR. WATTS:

4 That is 10,000?

5 MS. MORRIS:

6 10,000 plus some costs.

7 MR. WATTS:

8 Notify me if he shows or no-shows
9 this week. Let me know.

10 MR. PARNELL:

11 By the end of the week, I will let
12 you know.

13 MS. MORRIS:

14 So, hopefully, that will be dismissed
15 by the end of the month.

16 MR. WATTS:

17 Anybody have any questions?

18 Legislation. That's you, Sheri.

19 MS. MORRIS:

20 That's Robert.

21 MR. HALLACK:

22 I was contacted and asked to bring
23 some legislation with regard to increasing the
24 fees for licensees and salespeople. I did
25 that. So we increased the fees for licensed

1 dealers from \$100 -- I am sorry -- 200 to \$300.
2 And for a salesperson 25 to \$30.

3 Also, too, we included -- if you look
4 at the first portion, which is 791(B)(4)(c)
5 actually, we included if they failed to pay the
6 salesperson's application fee within the time
7 allotted by law, if they ever do that, we
8 included a penalty of \$15. Right now, we
9 currently don't have any penalty for a
10 salesperson's fee if it is late. So this is
11 just a late fee of \$15.

12 And it is my understanding in talking
13 with the office that there are hundreds of
14 these every year where they don't pay the
15 salesperson's license fee timely. So that's
16 why we added that.

17 The next section, of course, is what
18 I just talked about, increases the fee for the
19 dealers from 200 to 300 and increases the fee
20 of the salespeople from 25 to 30.

21 And the last provision which was
22 791(g). Right now, if the Commission were to
23 order a penalty for violations under its law,
24 our limit under the bond is \$25,000. So the
25 bond requirement is 50, but the most that the

1 Commission can collect for violations is
2 25,000. And so we want to remove that
3 provision so that we can have access to the
4 entire bond.

5 As you may remember, we have had
6 several hearings in which the -- in fact, the
7 last one against Car Kings, it clearly exceeded
8 the amount of the bond but we were only limited
9 to 25,000. So this removes that 25,000
10 limitation and it allows us to collect against
11 the entire bond of 50,000.

12 MR. WATTS:

13 Who gets the other 25,000? Is that a
14 spread to, like, the Attorney General's Office
15 or something like that?

16 MR. HALLACK:

17 No. It is normally taken up for tax,
18 title and license where a customer has not been
19 able to get their title.

20 MR. DONNELL:

21 That's what I was looking to add for
22 the consumer. Where does the consumer wind up
23 with all of this if we take all of it.

24 MR. HALLACK:

25 Well, it could be that the

1 consumer -- normally Kim, and am I correct,
2 that you process the bond claims before we have
3 a hearing for a lot of times because the
4 consumer does have priority.

5 MS. BARON:

6 Yes.

7 MR. DONNELL:

8 Yes. That's what I am saying.

9 MS. BARON:

10 The last two we had late penalties
11 and interest.

12 MR. DONNELL:

13 We advocate -- we are a consumer
14 protection agency.

15 MS. BARON:

16 Right. I sent the information.

17 MR. DONNELL:

18 And so we have gotten them taken care
19 of before we go into the bond. The consumer is
20 taken care of.

21 MR. WATTS:

22 They are first. That's correct.

23 MR. PEDERSON:

24 How would we -- in my opinion, you
25 know, these vehicles these days are way more

1 expensive than they ever have been. How do we
2 go about raising that bond to 100 or 200?

3 MR. HALLACK:

4 We just raised from 25 to 50 about
5 three years ago.

6 MR. PEDERSON:

7 Yes, but in my opinion that's not
8 enough. 50 grand gives you something.

9 MR. BRITT:

10 A decent used pickup with 100,000
11 miles on it.

12 MR. PEDERSON:

13 Times have changed.

14 MR. HALLACK:

15 But we have to look at that in terms
16 of how much that costs the dealer, though.

17 MR. PARNELL:

18 That's what a lot of dealers complain
19 about even when we increased to 50,000. That
20 was a big huge uproar. They kept coming into
21 the office complaining about how much their
22 cost is now to get that bond, you know.

23 MS. BARON:

24 It can cost them from 3,500 to 5,000
25 depending on their credit.

1 MR. DONNELL:

2 What kind of bond y'all got to put up
3 the auction, you and John?

4 MR. POTEET:

5 Good question. Well, we have a bond
6 here, it's 50,000. The auctioneer board --
7 what is the bond for the auctioneer board? It
8 is the same price, I think.

9 MR. PEDERSON:

10 I think it is the same. I think it
11 is 50.

12 MR. POTEET:

13 So we have two different bonds. One
14 for this Commission, one went for the LALB.

15 MS. BARON:

16 Is it pricey?

17 MR. POTEET:

18 It depends on your credit.

19 MR. PEDERSON:

20 If we were a consumer protection and
21 we are only at 50.

22 MR. WATTS:

23 If we raise the bond, you have a lot
24 of mom-and-pops that are going to complain.

25 MR. POTEET:

1 They are the ones that are going to
2 have to pay, because their credit is not good.

3 MR. WISENOR:

4 Car King was an example. They
5 collected over \$100,000 for sales taxes and
6 they don't remit it to the state. So if it is
7 over a four- or five-month period of vehicle
8 sales.

9 MR. PEDERSON:

10 I will tell you, I can't speak for
11 dealers up here, but, you know, a lot of
12 dealers are making more money than they ever
13 had -- from what I hear, you know. I don't
14 know what everybody is making.

15 MR. WATTS:

16 Everybody is making money right now.

17 MR. HALLACK:

18 Pre-filing is in February, right?
19 Sheri, what is the date?

20 MS. MORRIS:

21 I don't know.

22 MR. HALLACK:

23 Anyway, if you want to increase the
24 bond 50 to 75 or 50 to 100 -- I don't know if
25 that's something that y'all want to entertain.

1 MR. WATTS:

2 What does the bond cost on the
3 average?

4 MR. POTEET:

5 It could be 500 to 5,000.

6 MR. DONNELL:

7 It depends on your current credit
8 rating.

9 MR. WATTS:

10 It depends on the inventory.

11 MR. PARNELL:

12 When we went to the Legislature
13 initially to get that bond increased, there was
14 quite a bit pushback from the industry.

15 MR. DONNELL:

16 That's what I want to address. The
17 way this legislation reads, all we are asking
18 for is what the New Car Commission has already
19 in place. We got behind somewhere before I
20 came on this board, but we are just asking for
21 what the New Car Commission already has in
22 place. We are not trying to ask for anything
23 extra.

24 MR. PARNELL:

25 Their bond is what? 25,000?

1 MR. DONNELL:

2 I just want to move our fees to where
3 they are. And did you get me the number on
4 that?

5 MR. PARNELL:

6 I had Roy kind of run numbers for us
7 so we can kind of look at the difference.

8 MR. BRITT:

9 I want to circle the wagon back
10 around at this point about the bonds. And we
11 are talking about the dealers, mom-and-pops,
12 and the bigger dealers.

13 MR. BROWN:

14 Is it possible that, you know, this
15 may take more time but later down the road to
16 do a tier level?

17 MR. PARNELL:

18 Initially, that is what we are
19 looking at was doing a tier level. And I don't
20 know, I guess, in committee it kind of got beat
21 up.

22 MR. POTEET:

23 Wasn't it like if you sold 100 cars
24 or less --

25 MR. PARNELL:

1 100 cars or less was \$75,000 or
2 something like that.

3 MR. BROWN:

4 I understand what you are saying, but
5 I think would really take time to craft that
6 language. If we don't get it done this year, I
7 am saying it is something we can work on.

8 MR. PARNELL:

9 I think it is definitely worth
10 looking into.

11 MR. BRITT:

12 Even if you did that 50 to 75, you
13 would cover mom-and-pops.

14 MR. DONNELL:

15 But I think we leave that alone until
16 next year and just increase our fees.

17 MR. BRITT:

18 I think that we can start the
19 research on increasing it.

20 MS. MORRIS:

21 I believe the proposal was an
22 additional 10,000 for so many additional
23 vehicles.

24 MR. PARNELL:

25 Additional vehicles, something like

1 that.

2 MS. MORRIS:

3 It was a sliding scale, but it didn't
4 fly. It is very hard to regulate it.

5 MR. POTEET:

6 It is very hard to regulate.

7 MR. DONNELL:

8 I don't want to complicate things. I
9 just want to get the fees up even with the New
10 Car Commission.

11 MS. MORRIS:

12 The pre-filing deadline this year is
13 March 4, which is a Friday.

14 MR. PARNELL:

15 So the way it reads now, it is \$200
16 per dealer license per year. And you say we
17 want to move to --

18 MR. DONNELL:

19 Up to 300.

20 MR. PARNELL:

21 An additional \$100 to \$300.

22 So I did reach out to Roy Hebert to I
23 kind of give us the numbers as it relates to
24 what we look like now with the numbers and what
25 we would look like if we did do an increase.

1 MR. DONNELL:

2 If we got that.

3 MR. HEBERT:

4 So staff gave me a license count
5 through January of '20 to the current year
6 because I had to have a number to apply the
7 \$100 -- the \$100 increase in fees and the \$5 in
8 the sales license, and then the \$15 late
9 charge.

10 And if you use those numbers as being
11 representative what a fiscal year would look
12 like, then the additional revenues that the
13 Commission received would be somewhere around
14 \$290,000 which is not --

15 MR. WATTS:

16 What was that number?

17 MR. HEBERT:

18 \$290,000. It is roughly \$240,000
19 worth of dealer licenses, about \$17,000 worth
20 of sales licenses, and about \$32,000 worth of
21 late fees to make up that roughly \$290,000
22 number.

23 The deficit in the current year
24 budget, as it exists right now, is 347,000. So
25 it is not enough to bring us to a valid budget

1 in one year, but it's a long ways towards it.

2 I know the Legislature is sensitive
3 to budget -- to budgeted items when an agency
4 comes back and asks for a fee increase. And
5 they go back and they look at your cash
6 management report, which we have to submit, on
7 a quarterly basis. And, Sheri, you may have
8 some more experience with fee increases in
9 these management reports when they ask for more
10 money.

11 But, you know, at the end of
12 November, which was the most recent financial
13 statement that I had on the Commission, we had
14 about \$2.7 million in the bank between checking
15 account and CDs. And so when you go to the
16 Legislature and ask for maybe what's going to
17 be a \$290,000 increase in fees, they are going
18 look at whoever, whether it is Sheri or Derek
19 or both of them and say, what about the 2.7
20 million dollars that you have in reserve. Why
21 do you really need this \$290,000 from these
22 salesmen and even poor dealers out there to try
23 to scratch and trying to make a living.

24 MR. DONNELL:

25 That is a good question. What are

1 the CDs earmarked as? Can we use that for the
2 employee compensation? Can we just put it over
3 there?

4 MR. HEBERT:

5 The way that I understand and the way
6 it read these cash management reports, once you
7 turn them in and then you have to justify why
8 you have the cash. Why you are holding on to
9 it.

10 MR. DONNELL:

11 Right.

12 MR. HEBERT:

13 Are we going to buy a building? Are
14 we going to make improvements to the building?
15 Are we going to replace our fleet of vehicles?

16 MR. DONNELL:

17 What about the employee benefits?
18 That is where we are going in the hole.

19 MR. PARNELL:

20 I think we can earmark some of it for
21 sure for employee benefits, but, you know, like
22 you said --

23 MR. DONNELL:

24 I agree with you completely. We are
25 going out there with our hand out and we have 2

1 million dollars in the bank.

2 MR. BRITT:

3 Hold up. I think, Ricky, what you
4 are asking if it could go toward the retirees'
5 benefit?

6 MR. DONNELL:

7 Retirement benefits.

8 MR. BRITT:

9 There is a difference in that, isn't
10 there, Derek?

11 MR. PARNELL:

12 Yes.

13 MR. DONNELL:

14 Can it go there?

15 MR. PARNELL:

16 I think it can go wherever we want to
17 put it. Do you know what I mean? To the
18 retirement.

19 MR. HEBERT:

20 The retirement is fixed by statute.
21 I mean, we contribute -- we withhold -- what is
22 it, eight and a quarter?

23 MR. PARNELL:

24 Eight and a quarter.

25 MR. HEBERT:

1 And the State's rate, I think, is up
2 to 400 percent.

3 MR. DONNELL:

4 That's what got us in the deficit.
5 That's what is breaking us.

6 MR. HEBERT:

7 We have no control over that.

8 MR. BRITT:

9 You have to show it. All public
10 agencies have to show the retirement in it. It
11 doesn't make any difference if it is us or the
12 state police or sheriff's office. Every public
13 agency that you audit has to show it. That
14 changed. Years ago you didn't have to show it
15 and it made you look like a stronger position,
16 you know. So the ones who catch it now are
17 your local politicians. The three main ones in
18 every courthouse and now it looks like they are
19 running a deficit. They might run a tight ship
20 and have plenty of money in the bank, but it
21 shows, well, you got all of these retiree
22 benefits.

23 MR. DONNELL:

24 We showed that we have money and we
25 don't need it. You know, we go with those

1 long-term liabilities, and I understand that,
2 and I just want to know can we put this money
3 there so we can ask to raise our fees
4 comparable to the New Car Commission?

5 MS. BARON:

6 So there is not 2.7.

7 MR. DONNELL:

8 I don't want them to say you got 2.7
9 million, why do you have your hand out.

10 MR. PARNELL:

11 So in CDs we have 749,000. So that's
12 the 2.7. So we have 2 million in the bank. So
13 we are still going to have that. So honestly
14 either way we are not looking like it.

15 MR. BRITT:

16 If the retirement debt is set in
17 statute, it is there. It is not going to
18 change that. If you clean out the bank account
19 today and put it all in it, you still got an
20 accumulation of that retirement debt over the
21 next 20 years of the retirees and future
22 retirees.

23 MR. HEBERT:

24 That is your pension liability.

25 MR. BRITT:

1 That is the pension liability. If
2 you put -- I guess my question is if you can do
3 it by statute, if you dump two million dollars
4 in it, what difference would it make at the end
5 of the day? Because you are looking at debt
6 that's going to be paid over the 15 or 20 years
7 for the retirees and future retirees. I'm not
8 going to kick in the knee.

9 MR. DONNELL:

10 I am trying to get the question
11 answered. When our money runs out and these
12 fees keep going, who pays it?

13 MR. BRITT:

14 It's inevitable.

15 MS. MORRIS:

16 The State.

17 MR. BRITT:

18 They are in the State retirement
19 system. And it's inevitable. It is just a
20 sheriff's office. I mean, I can name five or
21 six sheriffs right now that has got over 10 or
22 12 million dollars in the bank surplus. They
23 are still collecting their fees and they are
24 still collecting their taxes. They are not
25 going timeout, let me dump my savings and put

1 the in all of this over here.

2 MR. DONNELL:

3 My question was: Who is liable when
4 we run out of money?

5 MR. BRITT:

6 The retirement, the State is
7 ultimately liable for it. The commissions are
8 not held liable for it.

9 MS. MORRIS:

10 You are not really paying -- you are
11 paying retirement -- Roy can correct me if I am
12 wrong -- your retirement liability to LASERS is
13 for your current employees. The future
14 liability is for health insurance benefits for
15 past employee.

16 MR. HEBERT:

17 Pension and health, they have both.
18 I hate these numbers because, I mean, most
19 agencies are bankrupt on paper, I mean.

20 MR. BRITT:

21 When did they make us start doing it?
22 6 years ago? 7 or 8 years ago?

23 MR. HEBERT:

24 Yes, about.

25 MR. BRITT:

1 When I was sheriff, I would have
2 stoked out before I already did stroke out if I
3 had to report all of that.

4 MR. POTEET:

5 All that is driven by the actuarial
6 tables anyway, right? It is just a calculation
7 because we don't know what's going to happen in
8 the future. So they do it the most
9 conservative number they can come up with, but
10 in reality, pensions and benefits are paid out
11 in real money in real terms. In other words,
12 whoever is retired now is getting paid. But we
13 have to do some kind of calculation. The State
14 has to do, say, a calculation to get it all up
15 there. And, eventually, what that is really
16 about is your credit, the State's credit. How
17 do you go out in the bond markets and get money
18 to build roads, et cetera, et cetera. So, you
19 know, whether we can do what Ricky is
20 suggesting, there would be -- in my
21 understanding, there will be no advantage to
22 it.

23 MR. DONNELL:

24 That's what I was asking.

25 MR. POTEET:

1 And then, secondly, I would like to
2 point out that, you know, as far as us being --
3 adding that money, how much money did we lose
4 by the State giving away our fees at the time
5 our constituency was making more money than
6 most of them ever made in their lives. It's
7 welfare for the rich.

8 MR. BRITT:

9 Just to Ricky's point, if you stick
10 with what the New Car Commission is doing, and
11 what is good for one is good for the other.
12 Even though I would like to see it all
13 different and more higher fees.

14 MR. DONNELL:

15 I was just thinking to get past it.

16 MR. BRITT:

17 I understand what you are saying. I
18 think it can be sold just as it is, you know.

19 MR. POTEET:

20 I think if you are looking forward to
21 what might be the argument on the other side
22 is, I think, if I am going to argue to not
23 raise fees if I was a car dealer -- a used car
24 dealer, I would say let's throw it out there.
25 What's the average net worth of a new car

1 dealer in Louisiana and what's the average new
2 worth of a used car dealer. It is going to be
3 a significant difference. And they are going
4 to say you want to charge us just like them
5 because --

6 MR. PARNELL:

7 We also have to look at the amount of
8 new car dealerships that are in Louisiana. We
9 have about 350 or so.

10 MR. POTEET:

11 Not many. There are only 70,000 in
12 the entire country.

13 MR. PARNELL:

14 We have about 3,000 dealerships.

15 MR. POTEET:

16 So my point -- I am not saying we
17 shouldn't do it. I am just saying, we better
18 be ready for that argument. Because that's the
19 first thing I can see somebody saying. So you
20 want to charge these guys their net worth --
21 average net worth -- I am going to just throw a
22 number out there -- 500,000. The same thing we
23 charge guys whose average net worth is 25
24 million. Sounds like a political deal to me.

25 MR. BROWN:

1 You cannot do anything, though. We
2 can't operate on the same budget year after
3 year after year. And this hasn't been changed
4 since back in the '80s.

5 MR. DONNELL:

6 And we lost RVs, boats.

7 MR. POTEET:

8 I am not saying we shouldn't do the
9 fee increase. I am saying that we should be
10 prepared for the battle.

11 MR. BROWN:

12 The argument is, though, the fee
13 increase -- the last increase was when?

14 MR. PARNELL:

15 It has never had an increase. 1984.
16 The commission was started in 1984.

17 MR. BROWN:

18 We can't operate on the same budget.
19 They can't expect you to operate on the same
20 budget.

21 MR. POTEET:

22 What really needs to happen with the
23 new car guys, we need to bring ours up by a
24 hundred bucks.

25 MR. DONNELL:

1 That is what we are doing anyway.

2 MR. POTEET:

3 Should it be double?

4 MR. BRITT:

5 We can look at sheriff on the bottom
6 of the legislation. We put in there, any
7 raises by the New Car Commission get, we
8 automatically get. That's the way the sheriffs
9 and the judges do.

10 MR. POTEET:

11 If you get by with that, that would
12 go through.

13 MR. BRITT:

14 The bottom paragraph, isn't it,
15 Sheri?

16 MS. MORRIS:

17 Yes.

18 MR. BRITT:

19 The judges get a raise, the
20 courthouse gets a raise.

21 MS. MORRIS:

22 One of the challenges I think is and
23 this is kind of how we got in the position of
24 losing our money during the pandemic is that
25 the legislators didn't really understand that

1 we collect license fees for two years and some
2 of what's invested in CDs is really your
3 operating funds for the next year.

4 MR. POTEET:

5 It is a cash flow.

6 MS. MORRIS:

7 So they weren't concerned about the
8 cash flow issue. They are just looking at the
9 numbers. And they are saying, well, you have
10 this amount of money so we are going to cut
11 your fees this year. And we just made it by a
12 percentage. We made it, you know, but really
13 they were looking at two years of operating
14 fees, you know, partial collection of the next
15 year where other agencies will collect one
16 year. We went to the two-year collection
17 because of the effort it takes and the time it
18 takes to renew the licenses. We could cut that
19 down and get their dealers their licenses
20 faster if we did them in regions. And so that
21 was something that did not get effectively
22 communicated, I believe, to the committee that
23 was tied. They were just looking at we got
24 this money in CDs and they just -- the
25 legislative auditor came up with the formula to

1 determine which agencies fell in that category.
2 And I think in the end, it was only 5 or 6 that
3 fell in there and we were one of them. We were
4 the only ones that collect licenses for 2 years
5 that fell in that category.

6 MR. DONNELL:

7 We prepared all of this legislation,
8 right? Or proposed legislation?

9 MR. HEBERT:

10 It was to check out numbers.

11 MR. DONNELL:

12 Well, we may go another way with this
13 but we want you to, since you authored it,
14 carry it to the Legislature if we need be. We
15 may go another way with this at this point.

16 MR. HALLACK:

17 Honestly, what you really need to do
18 is get the Motor Vehicle Sales Finance Act and
19 put it under the Used Car Commission. That's
20 what you really need. It only affects our
21 dealers, so.

22 MR. PARNELL:

23 We have been down that path.

24 MR. HALLACK:

25 We went down that path but we were

1 totally and completely unprepared to go down
2 that path.

3 MR. PARNELL:

4 To go down that path, we need at
5 least honestly a good prep 2 years to really be
6 ready to understand what is really coming, the
7 pushback that is going to come. If we are not
8 prepared and down there with that and we turn
9 around.

10 MR. DONNELL:

11 And LADA has such a lobbyist, they
12 will just cut us off.

13 MR. PARNELL:

14 I agree with you, because their
15 lobbyist is strong. The used car dealers, it
16 is not a cohesive unit, you know. So we may
17 request, hey, come down to the Legislature,
18 come say some words on behalf of the bill to
19 support it. We get down there and it is Sheri
20 and I sitting at the table. And that's
21 typically how it goes, you know.

22 MR. WATTS:

23 Who is head of LADA?

24 MR. DONNELL:

25 Are they even --

1 MR. WISENOR:

2 It was Melissa, but she doesn't work
3 for them anymore.

4 MR. WATTS:

5 Do they have a president?

6 MR. DONNELL:

7 I don't know if they are defunct or
8 not.

9 MR. PARNELL:

10 One of the things that I was looking
11 at as well is just something that I think would
12 be an easier grab so to speak would be the
13 salesperson's licenses. The late fee -- we
14 have no late fees associated with a
15 salespersons license. Initially, I was
16 thinking that it was in policy and procedure
17 for the dealer license, but it is actually \$100
18 late fee for the dealer's license.

19 MR. DONNELL:

20 How do you enforce that? Well, you
21 got so much grace period to have to go get it
22 in.

23 MR. PARNELL:

24 No, no. Upon when they were supposed
25 to be -- it is primarily at the renewal period.

1 Our salespersons' license renew every year
2 annually and they can renew their license.

3 MR. DONNELL:

4 What about the salespeople during the
5 year?

6 MR. HINES:

7 I think that I know what the problem
8 is. I had dealers calling me and asking me
9 about it. It's a process when you are actually
10 doing it online. You actually -- when I went
11 in and did mine, I can do my dealer license and
12 do my sales license, but I had to actually log
13 completely out and go back in to the
14 salespersons' licenses. I think that a lot of
15 dealers don't know that. And I had a couple of
16 dealers call me and they tried to call the
17 office and couldn't get anybody on the phone at
18 the office so they didn't know how to do it.
19 So I think it's more of a procedural problem
20 than actually just --

21 MR. WATTS:

22 But the dealer has to sign off on
23 salesman's license, don't they? So they
24 usually contact the dealer. If you hire
25 somebody --

1 MR. HINES:

2 We are talking renewals. When I did
3 my renewal, to do mine was no problem. But
4 when I went to do the salesperson, I couldn't
5 get in. Like I said, I had to log out of
6 everything and go back in.

7 I had several dealers call me and say
8 they couldn't do it. And I tried to explain to
9 them how to do it. So we called and couldn't
10 get anybody on the phone. So I don't know if
11 it is a compliant issue as much as it is a
12 procedural issue.

13 MR. PARNELL:

14 It is procedural and it is a
15 situation where our licensing program, it won't
16 allow it. For example, if a dealer goes and
17 get licensed, you have to go in separately for
18 each separate salesperson's license and it is a
19 separate user ID. And everybody has to.

20 MR. HINES:

21 I think most people probably figured
22 it out, but a lot of the guys are not that
23 computer savvy to figure it out. So if they
24 are going to do late fee, if it is postmarked
25 and mailed in.

1 MR. DONNELL:

2 I would say give them a 30-day grace
3 period.

4 MR. HINES:

5 But they are not in compliance if
6 they don't have the salesman's license.

7 MR. PARNELL:

8 So it is January 1. So we kind of
9 ran the numbers. We are looking at 5400
10 salespersons' licenses total that we licensed.
11 2100 of those are late. So that number is
12 fairly large.

13 MR. BRITT:

14 If we did a grace period, do a 10-day
15 grace period and be done with it.

16 MR. HINES:

17 If they did it in November or
18 December, it wouldn't be a problem.

19 MS. BARON:

20 If you mail it in by December 31, you
21 don't have to pay the late fee. We get the
22 postmarks.

23 MR. HALLACK:

24 So 2100, what would be the amount?

25 MR. HEBERT:

1 \$30,000.

2 MR. PARNELL:

3 It is not huge, you know.

4 MR. HINES:

5 The number would be a lot less if the
6 people had --

7 MR. WATTS:

8 Better access.

9 MR. HINES:

10 Better instruction or better access
11 to assistance.

12 MR. DONNELL:

13 Chairman, that brings up another
14 issue, too. I think we need a receptionist.
15 Can't nobody get through to our commission, me
16 included. I was with Commissioner Britt the
17 other day. Somebody got his name off the
18 internet, he couldn't get in contact.

19 MR. BRITT:

20 When we call, you have to go through
21 99 different things. When you get lined back
22 out -- we had a conversation, this COVID thing,
23 and you get lined out, somebody has got to
24 answer the phone.

25 MR. PARNELL:

1 And the way our system -- we had the
2 phone system set up is that they are not
3 getting direct access right away. You have to
4 go through a process to get to the person that
5 you are looking for. It is kind of set up that
6 way.

7 MR. DONNELL:

8 But it is kind of aggravating.

9 MR. BRITT:

10 It needs to go back to somebody, once
11 you get lined out, somebody needs to answer the
12 phone because people don't have five minutes to
13 click here and there.

14 MR. DONNELL:

15 I don't understand that. And they
16 need to figure out who they need to talk to.

17 MR. HINES:

18 If you call the Wildlife and
19 Fisheries, it is set up to where you just leave
20 your phone number and they will call you back.
21 And usually they will call you back within 30
22 minutes. I don't know if that is possible.

23 MR. PARNELL:

24 Yes.

25 MS. BARON:

1 Everybody has voicemail.

2 MR. PARNELL:

3 Each individual person has that.

4 MR. BRITT:

5 But if Joe Blow is calling, like the
6 guy the other day, he didn't know who -- he
7 just needed to talk to somebody. He was in the
8 dark, you know. And he didn't know to ask for
9 anybody. And that's my whole point; somebody
10 needs to -- no bigger than what we are,
11 somebody needs to answer the telephone and
12 direct where it needs to go and get a name and
13 number and get the right person to call them
14 back.

15 MR. DONNELL:

16 Exactly.

17 MR. WATTS:

18 Do the girls in the front office who
19 are the greeters, what are their jobs?

20 MR. PARNELL:

21 They are the licensing staff. They
22 service the people who walk in the door and
23 they service the phones.

24 MR. WATTS:

25 When the phone rings, who does it go

1 to? Just anybody in the building?

2 MS. BARON:

3 When you call into the office, it
4 immediately goes to our answering service.

5 MR. WATTS:

6 Okay.

7 MS. BARON:

8 If you know your party's extension,
9 you may push the button. And then it goes
10 through the long spiel of what everybody's
11 extension is and all of that. The problem is
12 nobody wants to listen to that.

13 MR. WATTS:

14 They want immediate attention.

15 MS. BARON:

16 When they punch in numbers, they get
17 the ones at the front and they are at the
18 counter helping people, which 99.9 percent of
19 the time is what it is because they are helping
20 people at the counter.

21 MR. WATTS:

22 If you can do a call back system and
23 you call them back.

24 MS. BARON:

25 I have had a thousand people say I

1 have called a thousand times and I can't get
2 anybody. Did you leave a message? Well, no.
3 I can't call you back if you don't leave a
4 message.

5 MR. BRITT:

6 Let me jump another rabbit. If the
7 deal after you go through the 5 or 10 people's
8 names and then it says leave a message, that
9 needs to be the first option.

10 MS. BARON:

11 Okay.

12 MR. BRITT:

13 Let that be first option. I am
14 Brett, I am from A, B, C, D from Bogalusa, and
15 I need to talk to somebody.

16 MR. PARNELL:

17 So, initially, what was happening --

18 MR. BRITT:

19 Reverse it. And then I think it
20 would be a lot less stressful if you are going
21 to stick with that. My suggestion would be
22 whenever they get lined back out, somebody will
23 answer the telephone.

24 MR. WATTS:

25 It has to be somebody to know what

1 they are doing too and when answering the
2 phone, know who is what, you know.

3 MR. DONNELL:

4 We are not that big. Okay. We are
5 not that big.

6 MR. WATTS:

7 There are 3,000 dealers out there.

8 MR. PARNELL:

9 You are talking about 8,000 licensees
10 and they are calling every five minutes to ask
11 what they need. And when we devised the
12 system -- we can make it smoother and
13 transition it better, yes, absolutely. Let me
14 get -- take some time to look at the system and
15 what can I do to fix it and make it flow
16 easily.

17 MR. DONNELL:

18 Just leave a message so y'all can
19 call them back.

20 MR. PARNELL:

21 We tell them that upfront.

22 MR. DONNELL:

23 Tell them that upfront instead of
24 making them go through five minutes.

25 MR. HALLACK:

1 You have to give us some direction.
2 It is like Mr. Brown says, you need a motion to
3 approve what's been written.

4 MR. BRITT:

5 I make the motion that we approve
6 what has been written. And in that motion, I
7 put it with the Chairman and his picks, sit
8 with Derek and with Robert and y'all figure out
9 what direction -- how we need to handle it.
10 Many and just put it like that.

11 MR. DONNELL:

12 Second.

13 MR. HALLACK:

14 Do you approve? So you approve
15 what's written?

16 MR. DONNELL:

17 We approve what's written. We just
18 said that.

19 MR. WATTS:

20 We just said that.

21 MR. HALLACK:

22 All right.

23 MR. WATTS:

24 We will get together and find out who
25 wants to pursue this.

1 MR. DONNELL:
2 We already have somebody to carry the
3 ball.
4 MR. WATTS:
5 All right.
6 MR. HALLACK:
7 Mr. Chairman, you have a motion.
8 MR. WATTS:
9 We have a motion. I need a second.
10 MR. BROWN:
11 I second.
12 MR. WATTS:
13 All right.
14 MR. POTEET:
15 You have a second. We need to vote
16 on it.
17 MR. WATTS:
18 All in favor?
19 (All "Aye" responses.)
20 MR. WATTS:
21 Any opposed?
22 (No response.)
23 Passed.
24 Now, Montie, investigative report.
25 MR. WISENOR:

1 Yes, sir. This is the monthly
2 report. The total for the month December 2021.
3 During that month, the field conducted four
4 audits, one 5-day notice of revocation was
5 issued. Site visits, work orders conducted was
6 49 total. Hand delivery cease-and-desist
7 orders, zero. We have none that month.
8 Assisted title and registration for consumers,
9 there were 16, assisting consumer receive
10 registration or title. There were three
11 violations issued. There were two different
12 refunds assisted and receiving. Their total,
13 \$26,370.10. As far as cases closed that were
14 assigned to the investigators, there were 30
15 total closed. Cases closed that were not
16 assigned, there were 21. And there were 19
17 physical inspections conducted out in the
18 field.

19 MR. DONNELL:

20 Do you have any hearings coming up?

21 MR. WISENOR:

22 Two for March.

23 MR. HALLACK:

24 Everybody make sure and clear your
25 calendar for March 21 and be here. It's a big

1 hearing.

2 MR. BRITT:

3 I want to thank y'all. I don't know
4 what I would have did, I know you passed it off
5 to the investigator. You jumped in there and
6 helped the Richland's sheriff's office the
7 other day when the deputy called.

8 MR. WISENOR:

9 Did he get back to you?

10 MR. BRITT:

11 He texted me over the weekend on an
12 unrelated subject. I asked him, "Is everything
13 going your way?" I said, "If not, let us know
14 and we will get -- we will help in any way."
15 And he said, "Everything was going great."

16 MR. WISENOR:

17 Yes, he was satisfied. He was
18 pointed in the right direction.

19 MR. BRITT:

20 I appreciate that.

21 And that's another thing, Derek, I
22 don't know if maybe some time at one of the
23 sheriff's conferences, you and Montie go to --
24 and let me make arrangements for y'all to speak
25 at one of the general assemblies. And let them

1 know that we are out there -- what we are
2 capable of doing. And a lot of times they
3 don't know who to call. You know, that's like
4 the troopers. Young troopers still didn't --
5 don't know who to call.

6 MR. WISENOR:

7 We have been invited to multiple
8 trainings with different local sheriff deputies
9 and investigators, detectives. And with the
10 state police department's office.

11 MR. BRITT:

12 I think you did it at the main
13 conference. You would have the sheriff, the
14 chief deputies there. And that's the chief
15 deputies are the ones that need to hear it.
16 The sheriff needs to have knowledge, but, I
17 mean, you are talking about a 20-minute deal
18 and at the least they know, you know. Or at
19 least when they have the new sheriff school
20 every year, run around there -- Derek, y'all
21 run around there and give a 10-minute deal at
22 headquarters around there and LSA and that
23 would familiarize each sheriff knowing who they
24 could call.

25 That's my just two cents on it, but I

1 want to thank y'all for that.

2 MR. WATTS:

3 Derek.

4 MR. PARNELL:

5 I just want to tell you pretty much
6 everything that we have been discussing. You
7 know, everyone knows my account department now,
8 I am kind of crunched right now. Everybody is
9 working really hard. We are replacing staff
10 members as I was telling some of you-all. You
11 know Mona retired and the other young lady that
12 I had working in the office, Accounting 1, she
13 has put in two weeks' notice. Her last day is
14 this week Friday. I do have another person
15 coming as a lower level, as we discussed a
16 little while ago, to start the process. But
17 it's going to take me a little time to really
18 build that department back up to where it is
19 moving efficiently. I need to be more
20 efficient, but it is going to take me a little
21 time to do that.

22 Also, we have pretty much completed
23 the process as it relates to the public tag
24 agent. So we are all able to process now
25 fully. Commissioner Donnell, who came into the

1 office and we processed all of his dealer
2 plates out. What we looked at was, as we all
3 know, the dealer plates are \$15 each. The way
4 the statute is written, to get a dealer plate,
5 you know, there is a convenience fee that we
6 are allowed to charge on top of the \$15 for the
7 plate. So the dealership is allowed three
8 plates. So what we looked at was putting a 2
9 to \$3 convenience fee on that dealership, the
10 three plates. Every other plate beyond that, I
11 think we charged \$6. I think we need to look
12 at that process. We hadn't really wrote the
13 policy or procedure on it yet, so I kind of
14 wanted to know what are your thoughts as it
15 relates to what that fee should be.

16 MR. DONNELL:

17 I think you need to put that together
18 for the next meeting and we can go into
19 executive session and discuss that.

20 MR. PARNELL:

21 Like I said, it would give us up 2 to
22 \$3 per -- as a convenience per dealer plate.
23 But we have to remember, again, that's an
24 exorbitant charge as it relates to what dealers
25 are charging -- are being charged from Office

1 of Motor Vehicles. There is no convenience fee
2 and they can't charge a convenience fee on that
3 dealer. And for the convenience of them, they
4 get their license and their dealer plate from
5 us, we still need to be competitive. We
6 couldn't just jump them try to get \$20 per
7 plate.

8 MR. BRITT:

9 Maybe we can set it for \$10.

10 MR. PARNELL:

11 Something like that, yes.

12 MR. DONNELL:

13 Well, if you get too high, they will
14 run back to the State and we are going to
15 overprice ourselves.

16 Have y'all done any more since I
17 came?

18 MR. PARNELL:

19 No, no. We haven't had any more. I
20 think you reached out to some of our dealers.
21 I hadn't sent out -- I was planning on sending
22 a mass email to all of our licensees.

23 MR. DONNELL:

24 I don't think that I seen an email
25 since I got mine.

1 MR. PARNELL:

2 What I wanted to say, I am not going
3 to move right now on sending that mass email
4 out. Now, if some come in by word of mouth and
5 they want something done, fine, we will go
6 ahead and get that processed.

7 I have two persons that will process
8 them. We will do that. But I am not going to
9 send out a mass email right now so we don't get
10 inundated with it right now.

11 But that is all the example I had.
12 Any questions, comments, or concerns, please
13 advise.

14 MR. WATTS:

15 Anyone have any questions for Derek?

16 MR. BRITT:

17 How many different accounting
18 positions do you have?

19 MR. PARNELL:

20 I have four openings. I have Account
21 Supervisor 2. I have an Accounting 1. I have
22 an Accounting Technician. And I have an
23 Accounting Specialist 2. The Accounting 1 is a
24 career progression. So I can hire anyone from
25 Accounting 1, 2 -- I think 3 as well.

1 MS. BARON:

2 Just 1 and 2.

3 MR. PARNELL:

4 Just 1 and 2. The specialist
5 position is also a career progression. So it
6 would be Accounting Specialist 1 and 2. So
7 this is really tiered on some levels.

8 MR. BRITT:

9 That's what I was asking. Trying to
10 get an understanding of it, yes.

11 MR. PARNELL:

12 I am trying to fill as well as
13 finding the right person that can come in and
14 help lead the department, you know, to get
15 back. I still need to get the work done. So I
16 am starting in different places to, you know,
17 so I can get some busy work done, but because
18 we are kind of behind on a lot of things.

19 MR. DONNELL:

20 Could you coincide that with the
21 Finance Chairman and the Chairman before you
22 make the decisions?

23 MR. PARNELL:

24 Okay.

25 MR. WATTS:

1 Just depending on their experience where, you
2 know. I don't want -- the way Civil Service
3 is, they are going to dictate to me how much I
4 can pay who and where. Typically, when someone
5 comes in new, I can't go above the midpoint of
6 this pay grade. And if there is any room to do
7 that, the justification has to be there. I
8 have to go before the whole State Board of
9 Civil Service. And more often, they want you
10 to stick to that midpoint. So it's kind of
11 tying my hands a bit.

12 MR. BRITT:

13 Unless it is a transfer.

14 MR. PARNELL:

15 Unless it is a transfer or if that
16 person, I would have to bring them in at the
17 same rate of pay they were at.

18 MR. BRITT:

19 And based on their experience.

20 MR. PARNELL:

21 Right.

22 MR. BRITT:

23 You would have some say on that.

24 MR. PARNELL:

25 Exactly. We went though the first

1 round. I didn't really find anything. And I
2 also have Mr. Hebert, he is kind of looking
3 through them as well with me to try to help me
4 look at the accounting side of things to see.
5 The second batch that we put out there, we did
6 find about 3 people that we want to look and
7 bring them in for an interview to discuss with
8 them what they are doing, what they are looking
9 for, you know.

10 So it's going to be a process.
11 Again, like I said, it's a situation. And what
12 I was speaking to Kim about I want us to start
13 focusing on, like, various other, you know,
14 somewhat when we post on Civil Service, it goes
15 to different places. But I am kind of trying
16 to get it branched out a little bit further so
17 we can see if we can get some different type of
18 persons applying. Whereas, the State has great
19 benefits, a lot of persons don't like it
20 because of the actual pay.

21 MR. WATTS:

22 All right. Any items for the next
23 agenda?

24 MS. BARON:

25 Just what y'all talked about.

1 MR. PARNELL:

2 Just getting the language together.

3 MR. BRITT:

4 I make a motion to adjourn.

5

6 (Meeting adjourned at 10:38 a.m.)

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REPORTER'S CERTIFICATE

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2
3 I, BETTY D. GLISSMAN, Certified Court
4 Reporter, Certificate No. 86150, in and for the
5 State of Louisiana, do hereby certify that the
6 Louisiana Used Motor Vehicle Commission January
7 24, 2022, meeting was reported by me in the
8 stenotype reporting method, was prepared and
9 transcribed by me or under my personal
10 direction and supervision, and is a true and
11 correct transcript to the best of my ability
12 and understanding.

13 This March 24, 2022, Baton Rouge,
14 Louisiana.

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