

Liquefied Petroleum Gas Commission (LPGC)
Wednesday, February 19, 2025
10:00 A.M.
Department of Public Safety
7919 Independence Blvd. – Conference room C Baton Rouge, LA 70806

Member Name: Present

Ira Cleveland, Chairman
Commissioner Todd Thompson
Commissioner Ricky Cleveland
Major Hiram Mason

Staff:

Don Robin, Liquefied Petroleum Gas Commission, Executive Director
Attorney Juliette Scionceaux
Various Industry representatives

I. Call to Order:

Ira Cleveland, Chairman, called the meeting to order.

II. Roll Call:

Ira Cleveland, Chairman, called roll. Commissioner Dominique Monlezun not present. Major Hiram Mason filled in for LTC Hasselbeck.

III. Public Comments (Time limit is 3 minutes per person)

No Comments

IV. Approval for the December 18, 2024 minutes – On motion by Commissioner Thompson, seconded by Commissioner R. Cleveland, the minutes were approved. All agreed.

Commissioner Thompson requested the applications and violations to be heard. Attorney Scionceaux swore in the applicants.

APPLICATIONS:

The following applicants applied for a Class 2 permit were administratively granted and was ratified by the Commission. Executive Director Don Robin read into the record what a Class 2 permit involves: Holders of these permits may install and service liquefied petroleum gas containers, piping and appliances, but shall not deliver gas. This Class will also apply to the installation and service of liquefied petroleum gas containers, piping and appliances on mobile homes, motor homes, travel trailers, or any other recreational vehicles. Rules and regulations read into the record by Chairman Cleveland.

- A & B General Plumbing – 10554 Lovett Rd. Baton Rouge, LA 70818 – On motion by Commissioner Thompson, seconded by LTC Mason, the permit was granted. All agreed.

The following applicants applied for a Class 4 permit, were administratively granted and was ratified by the Commission. Executive Director Don Robin read into the record what a Class 4 permit involves: Holders of these permits may deliver and transport liquefied petroleum gas over the highways of the state; may sell liquefied petroleum gases only to manufacturers of liquefied petroleum gases, or manufacturers of products which liquefied petroleum gases form a component part, or to dealers who hold a permit with this commission; utilize aboveground steel storage and/or approved salt domes, shale and other underground caverns for storage of liquefied petroleum gas; do general maintenance work on their own equipment using qualified personnel; but may not sell or install systems and appliances. Rules and regulations read into the record by Chairman Cleveland.

- Gulfmex Energy Services LLC – 525 S. Highway 77 Rockdale, TX 76567 – On motion by Commissioner R. Cleveland, seconded by Thompson, the permit was granted in absentia. All agreed.

The following applicants applied for a Class 6 permit were administratively granted and was ratified by the Commission. Executive Director Don Robin read into the record what a Class 6 permit involves: Holders of these permits may install equipment, including containers, and service liquefied petroleum gas equipment used on internal combustion engines. They may not deliver liquefied petroleum gas. Rules and regulations read into the record by Chairman Cleveland.

- G & H Store LLC – P.O. Box 535 Gueydan, LA 70452 – On motion by Major Mason, seconded by Commissioner Thompson, the application was granted. All agreed.
- Feliciana Convenience LLC – P.O. Box 188 Erwinville, LA 70729 - On motion by Commissioner R. Cleveland, seconded by Commissioner Thompson the permit was granted. All agreed.

The following applicants applied for a Class 8 permit were administratively granted and was ratified by the Commission. Executive Director Don Robin read into the record what a Class 8 permit involves: Holders of these permits may store, transport, and sell liquefied petroleum gas solely in the cutting and metal work industry, sell and install piping and containers for those gases and engage in the filling of approved, ASME tanks, ICC, or DOT containers used metal working industry. Rules and regulations read into the record by Chairman Cleveland.

- Grizzly Gas LLC – 802 Pinegrove Lane Longview, TX 75604 – On motion by Major Mason, seconded by Commissioner R. Cleveland, the permit was granted. All agreed.

The following applicants applied for a Class 6X permit were administratively granted and was ratified by the Commission. Executive Director Don Robin read into the record what a Class 6X permit involves. Holders of these permits may engage in the exchange of approved liquefied petroleum gas cylinders on their premises, but shall not fill cylinders. They shall not deliver gas. Rules and regulations read into the record by Chairman Cleveland.

- Avi Raj Properties LLC – 506 Ole Hwy. 15 West Monroe, LA 71291
- Bayou Express – 526 Front Street Cottonport, LA 71327
- Ideal Market #16 – 1900 Lafayette St. Gretna, LA 70053
- Petals Inc., LLC – 44192 Hwy. 445 Robert, LA 70455
- Dave's Harde Mart – 600 Highway 2 Sterlington, LA 71280
- Time Loop #3 – 5806 Topsy Bel Rd. Ragley, LA 70657
- Best Stop Quick Mart #1 – 14006 W. Club Deluxe Rd. Hammond, LA 70403
- Lavigne Plaza LLC – 2963 Highway 190 Mandeville, LA 70471

On motion by Commissioner Thompson, seconded by Major Mason, the 6X permits were approved. All agreed.

VIOLATIONS:

90 Express, 1193 Hwy 12 ATTN: Muhammed Shadique, Dequincy, LA Docket #2024006

1. Did continue to engage in the L.P. Gas business without paying the required (Class 6X) permit fee; thus violating R.S. 40:1849 (A) of the Louisiana Revised Statutes of 1950, as amended. On motion by Commissioner Thompson a \$250 fine was imposed, seconded by Commissioner R. Cleveland. All agreed.
- 2.

Concordia Lumber & Supply, 1720 Carter St. ATTN: Betty Forneal, Vidalia, LA Docket #2024007

1. Did continue to engage in the L.P. Gas business without paying the required (Class 6X) permit fee; thus violating R.S. 40:1849 (A) of the Louisiana Revised Statutes of 1950, as amended. On motion by Commissioner Thompson, seconded by Commission R. Cleveland, the out of business was accepted. All agreed.

Cranford's Northside, 2930 Martha St. ATTN: Ray Caraway, Simsboro, LA Docket #2024008

1. Did continue to engage in the L.P. Gas business without paying the required (Class 6X) permit fee; thus violating R.S. 40:1849 (A) of the Louisiana Revised Statutes of 1950, as amended. On motion by Major Mason, seconded by Commissioner Thompson, the out of business was accepted. All agreed.

Dianes Shell 33, 78478 Hwy 437 ATTN: Kara Ortiz, Covington, LA Docket #2024009

1. Did continue to engage in the L.P. Gas business without paying the required (Class 6X) permit fee; thus violating R.S. 40:1849 (A) of the Louisiana Revised Statutes of 1950, as amended. On motion by Commissioner Thompson a \$250 fine was imposed, seconded by Commissioner R. Cleveland. All agreed.

Generated Energy Solutions, 212 Mcclanahan Ste. 8 ATTN: Courtney Hill, Bryant, LA Docket #2024010

1. Did continue to engage in the L.P. Gas business without paying the required (Class 2) permit fee; thus violating R.S. 40:1849 (A) of the Louisiana Revised Statutes of 1950, as amended. On motion by Commissioner Thompson, the citation was postponed, seconded by Commissioner Major Mason. All agreed.

Jean Lafitte Harbor LLC, 49352 Kenal Road ATTN: Kristen Contrenchis, Lafitte, LA Docket #2024011

1. Did continue to engage in the L.P. Gas business without paying the required (Class 6) permit fee; thus violating R.S. 40:1849 (A) of the Louisiana Revised Statutes of 1950, as amended. On motion by Commissioner Thompson, the citation was postponed, seconded by Commissioner R. Cleveland. All agreed.

The following applicants has applied for a Class 6X Permit and is unable to meet the requirements of the Commission; therefore, it is requested that the application be withdrawn:

1. Pearl & Sid's 13868 Hwy 165 Kelly, LA 71441
2. Deli 2 Go 1295 Hwy 397 Lake Charles, LA 70615

On motion by Commissioner Thompson, seconded by Commissioner R. Cleveland, the applications were dismissed. All agreed.

V. Commission Business:

- a. **New Business** – Commissioner Thompson reminded the commission that the Ethics report are due on or before May 15th. Chairman Cleveland reminded the commission about the importance of the report to avoid any penalty.
- b. **Old business** – Commissioner Thompson asked for an update regarding the WAE position. Director Robin stated that he granted the WAE more hours because he needs the WAE to continue for another month. Commissioner Thompson expressed his displeasure with the WAE continuing employment when the Commission unanimously voted to terminate the position. Commissioner Thompson also reminded Director Robin of the purpose of Office Technology Services (OTS). Commission Thompson reminded Director Robin that he has to bring matters before the commission. Director Robin ensured the Commission that he needed the employee to assist with a new software due to the employee's expertise. The discussion continued about matters be handled without following the commission's wishes. Commissioner Thompson also asked for an update regarding the creation of Assistant Director's position that was also voted unanimously. Director Robin stated that Colonel Hodges denied the position. Commissioner Thompson stated that the commission is not an advisory commission but a stand-alone commission. Chairman Cleveland asked for Attorney Scioneaux's advice regarding the creation of the Assistant Director's position. Attorney Scioneaux stated the commission can vote to create the position but employment is authorized by Colonel Hodges under Revised Statue 36:801; transfer; retention of all functions. According to Attorney Scioneaux, the Liquefied Petroleum Gas Commission falls under Revised Statue 36:802; transfer of certain functions that gives Colonel Hodges permission to exercise certain functions such as payroll, personnel, procurement, and contract management. The last revision was July 1, 2022. Chairman Thompson elaborated on the authority of the commission. Attorney Scioneaux explained the authority of the Colonel. Commissioner Thompson stated the commission is housed under Public Safety and facilitated under Public Safety. According to Commissioner Thompson, employees are protected under Civil Service with the exception of Director Robin. For the record, Commissioner Thompson read Revised Statue 40:1845: Director; other personnel; salaries - For the enforcement of its rules and regulations and the provisions of this Part, the commission shall appoint a director and such other field inspectors as its work may require, and shall prescribe their duties and fix their compensation. It may appoint such secretarial, stenographic and clerical help as may be required to carry out the duties of the commission and shall fix their salaries. Commissioner Thompson stated that he had not seen the authorities given and that he was confused. According to him, a directive was given saying one thing but the staff is changing directives. He also stated he is wasting his time and there is no point of him being on the commission. Commissioner Thompson said he spoke with the Governor's office and they agreed with him. He would also like to get the Attorney General's opinion because he would like everyone to be on the same page. The discussion on requesting the Attorney General's opinion continued. Attorney Scioneaux stated she would research the proper procedures to request the Attorney General's opinion however, the commission can request the opinion. Commissioner Thompson said he would request it because he has done several in the past. Attorney Scioneaux stated she would find out the correct procedures to make sure the request is done correctly. Chairman Cleveland requested a phone call once the procedures are verified.

Commission Thompson addressed Director Robin regarding license/permit complaints

addressed at the last meeting. He questioned whether the information given at the last meeting was accurate. At the last meeting, he was reminded of the software issues. Commissioner Thompson wanted to know if that was accurate. Kimberly Wilson explained the ongoing software issues and explained the office process. Director Robin commented that is the purpose of the new software that he has been working on. Commissioner Thompson did not agree. Kimberly Wilson also mentioned the office being short-handed due to one employee resigning and another employee being on medical leave. The question was asked about the time the employee would be out on approved medical leave. Chairman Cleveland asked about getting temporary help and asked if the Colonel has anyone to help the office? Commissioner R. Cleveland asked about getting a replacement for the employee that is out of the office on medical leave until the employee returns and stated the employee can go to another department. There was an ongoing discussion about the employee that resigned because a position was accepted with another department. Commissioner Thompson said the vacancy needed to be posted because it should only take 2-weeks. Attorney Scioneaux reminded the commission about the Civil Service process. A discussion continued about the employment process, PAR submission, background checks, etc. Chairman Cleveland suggested that Terry assist with the office as a WAE. Commissioner Thompson had questions regarding Management/Finance's role in the office operations. Kimberly Wilson explained that Management/Finance does not have a direct role in the daily office operations.

Commissioner Thompson also addressed the Conservation Program Management position created by Director Robin. Commissioner Thompson and Commissioner R. Cleveland said that position was never presented to the commission. Director Robin said he did bring it to the commission. He also stated that the position was created for Derrell Williams. Commissioner Thompson asked Director Robin when the position was approved. Commissioner R. Cleveland asked how did the Colonel approved the Conservation Program Manager position but not the Assistant Director. Director Robin stated that the Assistant Director position is higher than Conservation Program Manager position. As the discussion continued, the employee that occupies the Executive Staff Officer position was questioned. Commissioner R. Cleveland asked if the employee was a secretary. When the commission was informed of the Executive Staff Officer title, Commissioner Cleveland said the employee is a glorified secretary. Commissioner Thompson said the Conservation Program Manager position should not have been approved without approval from the commission. He also said Director Robin had to authorize the position for the PAR to be submitted. Commissioners Thompson and R. Cleveland continued to address their concerns regarding the creation of the Conservation Program Manager position. Director Robin then stated the position was approved at the December meeting when he had to leave the meeting early. Commissioner R. Cleveland said it does not make sense for them to be on the commission because they are wasting their time if their issues are not carried forward. Director Robin said the position was already created prior to his employment. Inspector Chad Ledet said a position has to be created. According to Ledet, the Conservation Program Manager was already created and that is why it was approved. Commissioner Thompson said he was not aware of that position. Presently, the position is vacant but will be required to come before the commission. Chairman Cleveland informed the commission about the increase on truck tags that will consist of a sliding scale. Commissioner Thompson reiterated what Chairman Cleveland said about the sliding scale.

1. LPGC reports

- a. Statistical report for December 2024 & January 2025
- b. Detailed appropriation report recap for December 2024
- c. Accounting total reports for December 2023/2024 & January 2024/2025
- d. Fire and accident report for January 2025
- e. Compliance audits for December 2024 & January 2025

2. Possible citations for next meeting

- a. Regular citations – None
- b. Insurance citations – None

- c. Permit renewals – Possible 40; failure to pay permit renewal.

3. Market Development business

- a. Chase bank reconciliation as of January 8, 2025 \$648,131.15 with approximately \$200,000 encumbered.

4. LPGC Advisory Board – President Artie Cole

Candidates for the market development advisory board to replace David Reed and Jessica Sinclair:

- a. Bryan Kelvin Talley, LacoX Propane – 108 3rd Ave. Hammond, LA 70404
- b. Robert Smith, Ferrellgas – 12537 Airline Hwy., Baton Rouge LA 70817

According to Chairman Cleveland, the law states that the commission appoints the members of the advisory board with recommendations made by the Liquefied Petroleum Advisory board. Two members have been recommended but one will be unqualified. Mr. Tally will be unqualified due to his employment with a parent company. The commission will accept recommendations and make appointments. Mr. Cole submitted Robert Smith to the commission. Mr. Cole will stay on board until May and Mr. Smith will replace Mr. Cole. On motion by Commissioner R. Cleveland, seconded by Major Mason, Robert Smith was appointed. All agreed. Mr. Cole does not have any new contracts to submit to the commission. Attorney Scioneaux said she has reviewed the contracts that were submitted to the commission previously such as Southland Conference, Capitol City (Advocate), and WWL-Channel 4.

5. Commission Legislation and/or Rule Change – Office of Legal Affairs –

6. Open discussion - Executive Director Robin and/or Chairman Cleveland

7. Next meeting date – March 26, 2025 – Baton Rouge, LA

8. Industry Communication – Randy Hayden approached the commission on behalf of the Louisiana Propane Gas Association. Mr. Hayden stated that the staff is understaffed and doing all that they can. He also informed the commission that telephones have been forwarded to that calls are not missed. Mr. Hayden extended his appreciation to the staff. If the commission needs assistance with legislation, Mr. Hayden offered his assistance. There was an issue with the storage unit being locked by the storage company. Kimberly Wilson said the invoice was submitted for payment but she will follow up on the payment. Mr. Hayden said the state will do bids for iPad for training and after speaking with someone in the IT department, he will get bids from Amazon and Best Buy. The iPads will be paid by the market development fund. He has thanked the commission for approval of contracts. According to Mr. Hayden, the advisory board has approved Miss Louisiana, and LA Sports Hall of Fame. Guaranty Broadcasting and Homebuilders Association are pending contracts for approval. Mr. Hayden invited the commission to attend the summer convention in Perdido Key at the end of June/early July.

9. Adjournment – Motion on the floor for adjournment. Motion by Major Mason, seconded by Commissioner Thompson, the meeting was adjourned.