

Liquefied Petroleum Gas Commission (LPGC)
Wednesday, February 21, 2024
10:00 A.M.
Department of Public Safety
7919 Independence Blvd. – Conference room C Baton Rouge, LA 70806

Members Present:

Chairman Ira Cleveland
Commissioner Dominique Monlezun
Commissioner Ricky L. Cleveland
Commissioner Todd Thompson

Also present:

Executive Director Don Robin
Attorney Steven Stockstill
Various Industry representatives

Action Taken:

- I. Called to Order at 10:00 A.M.**
- II. Roll Call**
- III. Public Comments**
- IV. New Business**
 - 1. LPGC reports**
 - a. Statistical report for January 2024
 - b. Detailed appropriation report recap for January 2024
 - c. Accounting total reports for January 2023 / January 2024
 - d. Fire and accidents reports for January 2024
 - e. Compliance audits for January 2024
 - 2. Possible citations for next meeting**
 - a. Regular citations – None
 - b. Insurance citations – None
 - c. Permit renewals – Possible 15; failure to pay permit renewal.
 - 3. Applications heard:**

The following applicants applied for a Class 2 permits:

- **Ward Electric, LLC – 3529 Marco Rd. Lena, LA 71447** – *Zach Ward approached the Commission. On motion by Commissioner Thompson, seconded by Commissioner R. Cleveland, the application was approved. All agreed.*
- **Expert RV Solutions and Repair, LLC – 12996 LA Hwy 92 Maurice, LA 70555** – *Edward Ward approached the Commission. On motion by Commissioner Monlezun, seconded by Commission Thompson, the application was approved. All agreed.*
- **RV Systems Solutions, LLC – 2519 North Waverly Drive Bossier City, LA 71111** – *Jonathan Boudreaux approached the Commission. On motion by Commissioner R. Cleveland, seconded by Commissioner Thompson, the application was postponed. All agreed.*

The following applicants applied for a Class 6 permits:

- **Cajun Campground – 5552 Hwy 190 Eunice, LA 70535** – *Leo & Jackie Spryer approached the Commission – On motion by Commissioner Monlezun, seconded by Thompson, the permit was granted.*

- **West Side Building Materials LLC – 920 Court St. Port Allen, LA 70767** – *Shellie Catlett approached the Commission. On motion by Commissioner Thompson, seconded by Commissioner Cleveland, the permit was granted.*
- **Andrew Myers Propane – 603 Ridge Rd. Lafayette, LA 70506** – *Andrew Myers approached the Commission. On motion by Commissioner Thompson, seconded by Commissioner Monlezun, the permit was granted.*

The following applicants applied for a Class 6X permits:

- **SG Brothers – 9754 Eve Drive Denham Springs, LA 70726**
- **Star Fuel – 31585 Highway 15 Clayton, LA 71326**
- **Ray's Quick Stop – 8500 Maurice Ave. Maurice, LA 70555**
- **P & A Coteau Mart – 3612 Coteau Road New Iberia, LA 70560**
- **Kaplan Express - 507 W. Veterans Memorial Drive Kaplan, LA 70548**
- **Fuel Plus Too, Inc. – 20886 Hwy. 167 Dry Prong, LA 71423**
- **River Discount – 10696 River Road St. Rose, LA 70087**
- **Lockport Discount Inc. – 615 Crescent Ave. Lockport, LA 70374**
- **Chapelle's Grocery – 14061 Veteran Memorial Hwy. Turkey Creek, LA 70585**
- **Grand Point Food Mart – 3002 Grand Point Hwy. Breaux Bridge, LA 70517**
- **Country Store #6 – 102 W. Hwy. 14 Delcambre, LA 70528**
- **Nick's Food Mart – 1301 W. Veteran's Memorial Drive Kaplan, LA 70548**
- **Cajun Two Steps LLC – 1211 Service Road Kentwood, LA 70444**
- **Vacherie Auto & Home Center – 22044 Hwy. 20 Vacherie, LA 70090**

On motion by Commissioner Monlezun seconded by Commissioner R. Cleveland, the permits were granted. All agreed.

- 4. Violations – No violations for the month of February.**
- 5. Market Development business**
 - a. Chase bank reconciliation as of February 7, 2024: **\$516,359.07** - approximately \$25,000 is encumbered.
- 6. Office of Legal Affairs representative** – Attorney Stockstill mentioned the bank reconciliation. It is his recommendation that an audit of the funds be requested by contacting the Legislative Auditors. An external auditor can review the invoices. Every board meeting, an auditor should be present. Stockstill will research this recommendation more and follow up with Chairman Cleveland. There was a brief discussion about the rebate program. The consumer rebate program is part of the assessment. According to Chairman Cleveland, the previous rebate program was not hard on the office staff from what he can recall. The discussion regarding the rebate program continued.
- 7. Open discussion by Chairman and/or Interim Executive Director** – no additional comments
- 8. Tentative meeting date** – March 20, 2024 – Baton Rouge, LA
- 9. LPGC Advisory Board** – President Artie Cole and Randy Hayden approached the Commission. Cole stated that they are waiting on the contracts to be able to move forward. Chairman Cleveland asked if the Commission can be presented with contracts in place of the proposals? Hayden stated the vendors provide contracts. It is his understanding that the State needs to provide the necessary contract. Stockstill stated that in order for disbursements to be made, the LPGC has to be presented with a final contract. There is not a standard contract that can be provided to a vendor. The discussion about contracts continued. Hayden stated that his concern is that people in the state have paid an assessment to promote propane and the money is just sitting in an account. When the advisory board approves something, the hope is to be able to move forward. Stockstill said, all state agencies and boards are required by law to have contracts approved by the Office of Contract Review. If not, vendors can have disputes, jurisdiction, and

anti-discrimination clauses. He continued to explain the requirements. Hayden stated that some vendors are not prepared to provide contracts with requirements. Commissioner Thompson asked if a template can be provided? Stockstill reminded the Commission that LPGC is not supposed to develop contracts. Thompson does not see why a template cannot be provided. According to Stockstill, vendors have lawyers that can draft contracts. The requirements for contracts have to be used. According to Hayden, vendors are using standard contracts but those same standard contracts are not being accepted by LPGC. Commissioner Monlezun asked about a template again. Stockstill said there is no template. The law is the template. Thompson asked instead of giving a template, could a copy of the law be provided to a vendor. Hayden would like explanations on why contracts are kicked back. He would like to schedule a meeting with someone about contracts. Stockstill recommended adding a link to LPGC's website to the law that applies to contracts and contractual requirements. Stockstill provided additional information on the process for contracts. Kimberly Wilson explains the procurement process once a contract is approved by LPGC. It was also Stockstill's recommendation not to approve any contracts until the Office of State Contract Review approves it. Hayden's concern is that Contract Review may say a contract is not approved by LPGC. Stockstill recommended that contracts not be approved until the authorized governmental agency has reviewed the contracts. Continued discussion about the process for contractual review. Monlezun asked have proposals from next month be sent for review. Wilson said, no. The proposals also have to be approved by LPGC. As it stands, contracts are not in the form of the State's requirements, according to Stockstill. He also stated that vendors have to submit contracts. Hayden said the process has been working for the last 20 years. Stockstill said the contracts would have been flagged had an audit been done. Thompson suggested that Management and Finance be involved to explain the process. Stockstill informed the LPGC when money is involved, you transform role from administrative to fiduciary. Must follow the law. There is a personal responsibility if a lawsuit happens. Cole verified that vendors need to understand the law to write a contract; contract is presented to the LPGC, and be told of inconsistencies if necessary. Hayden stated that Propane Education and Research Council (PERC) has provided funds for safety and training. He also addressed the accident in Virginia due to a propane leak. One first responder passed away. Several other emergency responders were injured. Please keep those involved in your thoughts and prayers. Chairman Cleveland is hopeful to continue focusing on regulating safety within the state. Stockstill suggested contacting Performance of Audit division. The request has to be made by LPGC. The audit division will review the procedures and looks for ways for improvement. Monlezun believes in transparency to ensure LPGC is running properly. On motion by Commissioner Thompson, seconded by Commissioner Monlezun, Attorney Stockstill will draft a letter to the Performance and Audit division to audit LPGC. All agreed. Monlezun inquired about Hayden's payments. Robin provided an update on the status of the payment. Wilson explained the process for a payment to be issued. The discussion continued about the payment for Hayden.

- 10. Adjournment** – On motion by Commissioner Thompson, seconded by Commissioner R. Cleveland, the meeting was adjourned.