

**LOUISIANA STATE BOARD OF
PRIVATE SECURITY EXAMINERS**
SPECIAL MEETING MINUTES

Date: September 21, 2021
Time: 10:00 AM
Location: LSBPSE Headquarters
via Zoom

MINUTES

I. Call to Order

The meeting was called to order by Chairman Ford at 10:05 AM.

II. Roll Call

Chairman Ford asked Ms. Bourke to call the roll of the Board.

Jason Bourgeois	✓ Present
Dynette Burke	✓ Present
Chairman Scott Ford	✓ Present
Mark Leto	✓ Present
Donny Pitts	✓ Present
Ritchie Rivers	✓ Present
Vice-Chair Ed Robinson	✓ Present
Lameika Washington	✓ Present
Jason Wilbur	✓ Present

A quorum of the Board was determined.

Also present were Interim Executive Secretary, Bridgette Hull; Board Attorney, Wayne “Ron” Crouch; Admin Coordinator and Board Secretary, Shanna Bourke.

Other agency staff members present for the meeting by logging into the Zoom meeting

were Cindy Eidson, Compliance Inspector; Wendy Aldridge, Compliance Inspector & Supervisor; Stephanie Richardson, Compliance Inspector & Supervisor; Renee Rochester, Compliance Inspector; Kim Hampton, Compliance Inspector; Sharon Vallery, Admin Coordinator; Allison Salamoni, Compliance Inspector; Khadijah Hamilton, Admin Coordinator; Brandy Singletary, Admin Coordinator & Legal Assistant; and Baret Savoie, Field Compliance Inspector.

Also signed into the meeting were Fabian Blache III; Gregory Rome, Mr. Blache's attorney; news personnel from WBRZ that had sent a public records request to be notified of any board meetings; Nicole Compton with the Inspector General's Office; Abraham Kumar; and members of the public.

Ms. Bourke recorded the meeting minutes.

III. Pledge of Allegiance

Ms. Hull led the Pledge of Allegiance.

IV. Reconsider Fabian Blache III's employment as Executive Secretary

A motion was made to terminate Fabian Blache III from his position as Executive Secretary, effective immediately.

Motion by: Dynette Burke
Seconded by: Jason Bourgeois

A discussion ensued over whether the Board should wait until investigations were complete before terminating Mr. Blache.

Ms. Washington asked if the Board had the right to terminate while an investigation was ongoing. Chairman Ford asked Attorney Crouch to answer the question. Mr. Crouch informed them that Mr. Blache was an at-will employee who serves at the pleasure of the Board. They, therefore, did not need a reason to terminate.

Vice-Chair Robinson said a former Executive Secretary went through something similar and was paid for an entire year while an investigation was conducted. He felt termination should not happen until an investigation was complete.

Mr. Bourgeois asked Chairman Ford if he may pose a question to the board members. Chairman Ford told him to go ahead. Mr. Bourgeois asked if any of them, as company owners, had a salesman for their company that interfaced with their clients day-to-day and that had the newspaper article come out with all of the allegations and they saw the mountain of evidence that they have all seen for this individual, would that person still be the salesman for their company, would they wait for an investigation to conclude before making a decision for the betterment of their company, or would they make a decision that this does not need to be the face of their company and they need to distance themselves from some of these allegations? Mr. Bourgeois stated he felt it was not prudent to sit and wait to make this decision.

Ms. Washington reiterated that she felt they should wait until all investigations were complete, and she was concerned about possible legal ramifications as some predecessors had sat on leave for a year or longer until a matter was rectified. She was concerned that their companies may be a target if the investigations later found the allegations to be false.

Mr. Bourgeois responded that, as far as legal ramifications, he felt the legal ramifications of not acting, at this point, were more substantial than the legal ramifications of acting – which are, at this point, going to happen regardless. He felt it better that the board accept the consequences of their actions rather than accept the consequences of inaction. As to the allegations that may or may not be true, he felt there was plenty of sufficient evidence that they have already seen that were misuse of the position, namely the Executive Secretary entering into agreements without the board voting on or authorizing those things. The Executive Secretary entering into contractual agreements obligating the board to a vendor without their authorization was grounds enough for termination. As to the question of what the rush was, Mr. Bourgeois pointed out they have an entire industry to regulate, a board whose reputation they needed to uphold and show they were not going to tolerate their own, internal drama so they can actually focus on the task at hand of regulating the industry.

Mr. Pitts shared that he felt they were moving too fast. He heard what the new board member said but he felt they should stop rushing into things like this. Furthermore, he stated, since we are always bringing up Mr. Blache in these meetings, Mr. Pitts felt it only fair that he – Mr. Blache – should have the right to be there, since the board was acting like a court, to defend himself with his own attorney.

Ms. Hull informed Mr. Pitts that Mr. Blache was on the Zoom call.

Mr. Pitts conceded this but stated he agreed with Ms. Washington wholeheartedly.

Vice-Chair Robinson stated that he also agreed with Ms. Washington wholeheartedly because nothing had been proven. He said that just because it was in the newspaper did not mean it was true. He felt they should stick with the original decision.

Attorney Crouch asked to add something, as attorney for the Board. He informed the board that case law in Louisiana has been consistent with regards to unclassified positions and that they serve at the pleasure of the appointing authority. You do not need a reason to change executive secretaries. The board has the authority to do it, regardless of investigation, regardless of anything. You do not need a reason to terminate any executive secretary in an unclassified position.

Vice-chair Robinson asked Attorney Crouch if they, then, follow through with this do they need to evaluate a new executive director? Attorney Crouch pointed out that was not part of this motion. He said the board could do whatever it wanted with regards to the executive secretary position, and that was up to the board.

Chairman Ford asked to remain on topic. Ms. Burke asked to take the vote.

Roll-call vote to terminate Fabian Blache III:

Mr. Bourgeois	Yes
Ms. Burke	Yes
Chairman Ford	Abstained
Mr. Leto	Yes
Mr. Pitts	No
Mr. Rivers	Yes
Vice-Chair Robinson	No
Ms. Washington	No
Mr. Wilbur	Yes
Ayes: 5	Nays: 3

The motion was carried.

Fabian Blache III was terminated from his position as Executive Secretary.

Ms. Burke attempted to make a motion for Mr. Blache to return all equipment belonging to the state and to the board and that he coordinate a time with the staff to remove his personal belongings from the office so that DPS personnel could be there to escort him, no later than the coming Friday afternoon.

Chairman Ford said he did not feel this needed to be a motion. Attorney Crouch pointed out that only the Board could give an order to the Executive Secretary. Chairman Ford stated the board had an Executive Secretary that could manage the coordination and accomplish that mission. He did not feel a motion was necessary and a time could be established for that to be handled. Someone asked who the Executive Secretary was. She (referring to Ms. Hull), Chairman Ford stated was the Interim Executive Secretary and he

(referring to Mr. Blache) no longer is.

Ms. Burke made a new motion that the Board disallow the purported employment contract discussed in the June 2020 board meeting and deem it unenforceable for the reasons addressed in the legal opinion from the board attorney.

Chairman Ford asked Attorney Crouch if a motion needed to be made to add the item to the agenda but Ms. Burke pointed out it fell under employment. Chairman Ford stated he felt that could be handled under the “employment” of the current agenda item.

Motion by: Dynette Burke
Seconded by: Jason Bourgeois

A short discussion ensued.

Vice-Chair Robinson asked, again, about discussing this under the current agenda item. Chairman Ford asked Attorney Crouch if this was allowed. Attorney Crouch affirmed it was his opinion that it could be.

Vice-Chair Robinson asked that, if we were discussing this, shouldn't Mr. Blache have someone to represent him. He felt there should be some discussion since “the Board voted on it.” He asked if they were saying the board did not vote on it [the employment contract].

Mr. Bourgeois responded that, based on the minutes [of the June 2020 board meeting], there was no vote on the enactment of the contract. Based on the minutes, the only vote that was taken was to amend the contract from three years to five years. There was nothing to accept the contract itself, which is why they are having this discussion. Mr. Bourgeois stated he would like to add that there was no contract in place when Mr. Blache was initially hired and it does not seem, to him, to be a contractual position.

Vice-Chair Robinson asked if they could bring those minutes [from the June 2020 meeting] up. Mr. Pitts agreed “absolutely.” Vice-Chair Robinson asked if the minutes were recorded.

Ms. Hull informed them that the minutes are online for June 30, 2020. Attorney Crouch reiterated that the minutes for that meeting are on the Boards and Commissions website for the whole world to see.

Mr. Pitts asked if, as of now, they did not have an Executive Secretary. Chairman Ford informed that they have an Interim Executive Secretary approved by the Board.

Roll-call vote to disallow Mr. Blache's employment contract:

Mr. Bourgeois	Yes
Ms. Burke	Yes
Chairman Ford	Abstained
Mr. Leto	Yes
Mr. Pitts	No
Mr. Rivers	Yes
Vice-Chair Robinson	Abstained
Ms. Washington	No
Mr. Wilbur	Yes
Ayes: 5	Nays: 2

The motion was carried.

The employment contract for Fabian Blache III was disallowed by the Board.

V. Board consideration of the administrative appeal of Abraham Kumar, owner of ProtaTECH, Inc. and SORT Louisiana

A motion was made that the appeal of Abraham Kumar be referred to the Division of Administrative Law (DAL) and that the Board attorney [Mr. Crouch] provide board members with all information in possession of the agency regarding Abraham Kumar, ProtaTECH, Inc., and SORT Louisiana no later than close of business today [September 21], if at all possible.

Motion by: Dynette Burke
 Seconded by: Jason Bourgeois

Chairman Ford called for discussion. There was no discussion.

Roll-call vote to defer hearing to DAL, etc.:

Mr. Bourgeois	Yes
Ms. Burke	Yes
Chairman Ford	Abstained
Mr. Leto	Yes
Mr. Pitts	Yes
Mr. Rivers	Yes
Vice-Chair Robinson	Abstained

Ms. Washington	Yes
Mr. Wilbur	Yes
Ayes: 7	Nays: 0

The motion was carried.

The appeal of Abraham Kumar will be deferred to the DAL. Attorney Crouch will provide board members with the requested information.

VI. Public Comments/Questions

No public comment was given.

VII. Adjournment

Chairman Ford asked for a motion to adjourn the meeting.

A motion was made to adjourn.

Motion by:	Ms. Burke
Seconded by:	Mr. Bourgeois
Ayes: 9	Nays: 0

The motion was carried.

Chairman Ford adjourned the meeting at 10:28 am.

MINUTES CERTIFICATION

Proposed minutes respectfully submitted,



Secretary / Recording Secretary

09/27/2021

Date

Reviewed & certified by,



Bridgette Hull / Interim Executive Secretary

09/27/2021

Date