

## **I. Roll Call**

Board Chairman John Mowell called the meeting to order at 10:05a.m., Tuesday September 20, 2011, at the office of the Louisiana State Board of Private Investigator Examiners, 2051 Silverside Drive, Suite 190, Baton Rouge, Louisiana. Those members present at the meeting were Ms. Annette Kovac, Ms. Maria Dugas, Mr. Trey Fayard, Mr. Bruce Childers, Mr. Lance Wallace and Mr. Kenneth Landry. Also present was Executive Director Pat Englade and Legal Counsel Angelique Freel. A quorum was present to continue the meeting.

## **II. Approval of Minutes from the July 19, 2011 board meeting**

Mr. Wallace moved to approve the minutes of the July 19, 2011 board meeting. Seconded by Mr. Childers. All in favor. Motion carried.

## **III. Public Comments - Steve Divine**

## **IV. Approval of Applications**

### **A. Agency Applicants**

Mr. Wallace made a motion to approve the agency license application of David Harmsen. Mr. Harmsen was not present. Seconded by Mr. Childers. All in favor. Motion carried.

Mr. Childers made a motion to approve the agency license application for Montgomery Hoover. Mr. Hoover was present. Seconded by Mr. Wallace. All in favor. Motion carried.

Mr. Wallace made a motion to approve the agency license application for Scott Chafin. Mr. Chafin was present. Seconded by Mr. Childers. All in favor. Motion carried.

Ms. Kovac made a motion to approve the agency license application for Carla Murray. Ms. Murray was present. Seconded by Mr. Childers. All in favor. Motion carried.

Ms. Kovac made a motion to approve the agency license application for Wayne Williams, Jr.. Mr. Williams, Jr. was present. Seconded by Mr. Wallace. All in favor. Motion carried.

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### **B. Individual, Apprentice and Journeymen Applicants**

Ms. Kovac moved to approve the list of individual applicants starting with Anthony Jackson and ending with Carl Marshall. Seconded by Mr. Wallace. All in favor. Motion carried.

Ms. Kovac moved to approve the list of apprentice applicants starting with Vicky Johnston and ending with Rachelle Duhon. Seconded by Mr. Wallace. All in favor. Motion carried.

Ms. Kovac moved to approve the list of journeymen applicants starting with Janna Fuglar and ending with Claude Theriot. Seconded by Mr. Wallace. All in favor. Motion carried.

## **V. Executive Session from 10:20am to 10:42am**

Ms. Kovac made a motion to go into executive session to discuss Mr. Joseph Merritt individual application. Seconded by Mr. Landry. Roll call vote: Dugas yes, Kovac yes, Fayard yes, Wallace yes, Childers yes and Landry yes. Motion carried.

Ms. Kovac made a motion to go back into regular session. Seconded by Mr. Wallace. Roll call vote: Dugas yes, Kovac yes, Fayard yes, Wallace yes, Childers yes and Landry yes. Motion carried.

Ms. Dugas made a motion to deny the individual application of Mr. Joseph Merritt. Seconded by Mr. Wallace. All in favor. Motion carried.

## **VI. Financial Officers Report**

### **A. Financial Report**

Mr. Landry read the financial report.

#### **Pay increase for board staff**

Ms. Kovac made a motion to give Gracie Smith a 5% pay increase. Seconded by Mr. Wallace. All in favor. Motion carried.

#### **Audit**

Ms. Kovac made a motion to accept the yearly audit. Seconded by Mr. Childers. All in favor. Motion carried.

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## **VII. Investigatory Officer Report**

### **A. Investigatory Report**

Mr. Childers reported to the Board regarding the number of investigatory files opened, closed and currently under investigation.

#### **B. Consent Agreement – Christopher Gideon**

Mr. Childers made a motion to accept the Consent Agreement regarding Chris Gideon. A situation where a license had lapsed, the investigator continued working as a private investigator, and of course, he wanted to be re-licensed and agreed to pay a fine of \$650.00. In addition, he had to pay for a new Agency license. There was no second. Motion died.

Mr. Wallace made a motion to forward the Chris Gideon matter to a full hearing before the board. Seconded Mr. Childers. All in favor. Motion carried.

## **VIII. Training**

Ms. Dugas stated that the continuing education requirements will go back to the prior procedures that we had in place prior to May 1, 2011. Then the board will look into it at the next meeting to have the policy and procedures that were already placed by motion have those rules promulgated to be a part of the administration procedures. That way they will carry more weight. The board will give one year from time there promulgated until they take effect. The board will give every licensee notice in with his or her renewal so there is no doubt as what is expected of everybody and hopefully it will add clarity to what's going on.

Ms. Dugas made a motion on continuing education to go back to the procedures prior to May 1, 2011 at this time. Seconded by Ms. Kovac. All in favor. Motion carried.

Ms. Kovac made a motion to approve the classes that Ms. Dugas took to go towards her continuing education hours, which was a total of 9.5 hours. Seconded by Mr. Childers. Kova yes, Dugas abstained Fayard yes, Wallace yes, Childers yes and Landry yes. Motion carried.

Continuing legal education 9.5 hours 5 different classes from September 2010 thru June 2011 dealing with the legislative process criminal procedures 5 hours and skills class for 3 hours and Katrina legal consecrations after disasters, which was 1.5hours.

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### **IX. Old Business**

#### **A. Mail Outs**

Mr. Mowell made a motion to put an insert in with each investigators renewal notices, informing them about the newsletter that can be download from the website. Seconded by Ms. Koavc. All in favor. Motion carried.

#### **Recess 11:05am to 11:14pm**

Mr. Mowell moved to take a 10-minute recess. Seconded by Mr. Childers. All in favor. Motion carried.

Mr. Mowell moved to go back into regular session from the recess. Seconded by Mr. Wallace. All in favor. Motion carried.

At this time, Chairman John Mowell turned the meeting over to the Hearing office Mr. Trey Fayard.

Public Comments regarding the LPIA matter  
Charles Bryant – Secretary of LPIA  
Steve Divine

### **X. Executive Session from 11:30am to 12:25pm**

Mr. Mowell made a motion to go into executive session based on the excepted

exemptions 4217 (a2) and 4217 (a4) and based on Mr. Divine's written demand by email of July 22, 2011. Seconded by Mr. Childers. Roll call vote: Dugas yes, Koavc yes, Fayard yes, Wallace yes, Childers yes and Landry yes. Motion carried.

Mr. Mowell made a motion to back in to regular session. Seconded by Ms. Dugas. Roll call vote: Dugas yes, Kovac yes, Fayard yes, Wallace yes, Childers yes and Landry yes. Motion carried.

Mr. Childers stated based on all the turmoil with continuing education revised statue 37:3505 the board is given the authority to prescribe an adopt regulations, standards, procedures and policies governing the manner conditions under which credit shall be given by the board for participation in professional education such as the board may consider necessary and appropriate to maintain the highest standards of the private investigator industry in the state of Louisiana.

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Mr. Childers motion is to suspend the need for continuing education by a licensed Louisiana Investigator until time that the board has the opportunity to adopt, reapprove and promulgate the standards in which continuing education will be taught. Seconded by Mr. Fayard. Roll call vote: Dugas yes, Kovac yes, Fayard yes, Wallace yes, Childers yes and Landry yes. Motion carried

Mr. Childers made a motion to adjourn the meeting at 1:25pm. Seconded by Kovac. No opposition.

Mr. Childers made a motion not to adjourn the meeting at this time. Seconded by Wallace. Motion carried

Mr. Childers made a motion to allow the attorney for the board the authority to seek any injunctions that inhibit any operation of this board. Seconded by Landry. All in favor. Motion carried.

**Adjournment**

Mr. Childers moved to adjourn the meeting at 1:28pm. Seconded by Ms. Kovac. No opposition.