

LOUISIANA BOARD OF ETHICS  
GENERAL MINUTES  
August 2, 2024

The Board of Ethics met on August 2, 2024 at 9:04 a.m. in the LaBelle Room on the first floor of the LaSalle Building located at 617 North Third Street, Baton Rouge, Louisiana with Board Members Baños, Bryant, Colomb, Ellis, Grand, Grimley, Lavastida, Roberts and Speer were present. Board Members Couvillon and Scott were absent. Also present were the Ethics Administrator, Kathleen Allen; the Executive Secretary, Carolyn Abadie Landry; and Counsel Tracy Barker, David Bordelon Mallory Guillot, Jessica Meiners, Suzanne Mooney and Charles Reeves.

Coach Walter “Wally” Fall, a successful candidate for Member of School Board, District G, Rapides Parish, and Representative Mike Johnson, appeared before the Board in Docket No. 23-797 requesting that the Board reconsider its decision to decline to waive the \$440 campaign finance late fee assessed against Coach Fall for not filing his special campaign finance disclosure report. After hearing from Coach Fall and Representative Johnson and its capacity as the Supervisory Committee on Campaign Finance Disclosure, on motion made, seconded and unanimously passed, the Board suspended all of the late fee based on future compliance.

Darlene Francois Riley, a candidate for Councilman, District 2, St. James Parish, appeared before the Board in Docket No. 23-974 requesting that the Board reconsider its decision to decline to waive a \$500 late fee assessed against Ms. Riley for filing her 2022 Tier 3 candidate personal financial disclosure 46 days late. After hearing from Ms. Riley, on motion made, seconded and unanimously passed, the Board suspended all of the late fee based on future compliance.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a reconsideration request in Docket No. 21-797 regarding its decision to decline to waive a \$2,000 campaign finance late fee assessed against Atoundra Pierre Lawson, an unsuccessful candidate for District Judge, 40<sup>th</sup> Judicial District Court, ES 2, Division A, St. John the Baptist Parish, in the November 3, 2020 election, whose 2020 Supplemental campaign finance disclosure report was filed 116 days late. On motion made, seconded and unanimously passed, the Board reaffirmed its decision to decline to waive the late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a reconsideration request in Docket No. 24-034 regarding its decision to reduce a late fee of \$560 and to decline to waive the \$800 late fee assessed against Scott Washington, an unsuccessful candidate for Police Juror, District 8, Calcasieu Parish in the October 14, 2023 election, whose 10-P and 10-G campaign finance disclosure reports were filed 14 and 20 days late, respectively. On motion made, seconded and unanimously passed, the Board reaffirmed the prior decision to reduce the 10-P late fee to \$560 based on Section 1205C Rules for the Board of Ethics and to decline to waive the late fee for the 10-G report.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket 24-225 that the Board waive the \$80 and \$1,000 campaign finance late fees assessed against Elaine G. Davis, an unsuccessful candidate for Member of School Board, District 1, City of Baker, East Baton Rouge Parish, in the November 8, 2022 election, whose 30-P and 10-P campaign finance disclosure reports were filed 2 and 330 days late, respectively. On motion made, seconded and unanimously passed, the Board declined to waive both late fees totaling \$1,080.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a reconsideration request in Docket No. 24-109 regarding its decision to decline to waive the \$3,000 campaign finance late fee assessed against Jay for LA PAC, a political action committee and its committee's chairperson, W. Jay Luneau, in the October 14, 2023 election, whose 30-P campaign finance disclosure report was filed 15 days late. On motion made, seconded and unanimously passed, the Board deferred the matter.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G6-G20 en globo subject to any items being removed from the en globo listing for further discussion.

On motion made, seconded and unanimously passed, the Board adopted the staff recommendations on items G6-G20, excluding items G7, G8, G16, G18 and G19, taking the following action:

The Board considered an advisory opinion request in Docket No. 24-053 from Adam Chauvin regarding Trinity Education Services LLC ("Trinity"), a company in which he owns 50%, entering into an internship agreement with Lafourche Ambulance Service District No. 1 ("District") while Mr. Chauvin is employed by the District. On motion made, seconded and unanimously passed, the Board concluded that since the internship arrangement will require a formal agreement between Trinity and the District, Section 1113A(1)(a) of the Code of Governmental Ethics prohibits Mr. Chauvin from entering into such an agreement with the District. Additionally, since Robby Lefort is an immediate family member of District Board member Norman Lefort and he owns 50% of Trinity, Trinity is prohibited by Section 1113B of the Code of Governmental Ethics from entering into the internship agreement with the District.

The Board considered a withdrawal request for an advisory opinion in Docket No. 24-412 from Stacy C. Auzenne, on behalf of the Avoyelles Parish Port Commission (the "Commission") as to whether the Code of Governmental Ethics permits Gerald Ducote, who is the brother of the Commission's Executive Director, to be appointed as a Commissioner. On motion made, seconded and unanimously passed, the Board granted the request to withdraw the advisory opinion since Mr. Gerald Ducote is no longer seeking a position as Commissioner.

The Board considered an advisory opinion request in Docket No. 24-413 concerning the application of the post-employment in the Code of Governmental Ethics to a former Louisiana Department of Wildlife and Fisheries employee. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit James E. Ernst from assisting a local software development company in preparing its bid to enter into a data management system contract or in developing and maintaining the data management system for the Department of Wildlife and Fisheries if the company is awarded the contract.

The Board considered an advisory opinion request in Docket No. 24-414 regarding whether the Code of Governmental Ethics permits Mike Dougay, a Livingston Parish Sewer District Board member, to be employed with Lard Oil Company. On motion made, seconded and unanimously passed, the Board concluded that should the Livingston Parish Sewer District purchase fuel from Lard Oil, Mike Dougay would be prohibited from receiving anything of economic value for rendering employment services to Lard Oil.

The Board considered an advisory opinion request in Docket No. 24-425 concerning the post-employment restrictions in the Code of Governmental Ethics that apply to Hadi H.S.M. Shirazi, an employee with the Louisiana Department of Transportation and Development. On motion made, seconded and unanimously passed, the Board declined to render an opinion on any

specific post-employment restrictions. The Board instructed staff to send an information sheet regarding the post-employment restrictions and to advise Mr. Shirazi that if a specific situation presents an issue under the Code of Governmental Ethics, he should seek an advisory opinion.

The Board considered Steven Forrester's advisory opinion request in Docket No. 24-442 regarding the post-employment restrictions in the event of his termination from the Louisiana Department of Environmental Quality. On motion made, seconded and unanimously passed, the Board declined to render an opinion on any specific post-employment restrictions. The Board suggested that if a specific situation presents an issue under the Code of Governmental Ethics, Mr. Forrester should seek an updated advisory opinion. The Board instructed staff to send an information sheet regarding post-employment restrictions.

The Board considered an advisory opinion request in Docket No. 24-443 from Karen Andrews, former Undersecretary of the Louisiana Department of Environmental Quality (“LDEQ”), as to whether she may be employed by Access Sciences Corporation (“Access”) to provide certain services. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Karen Andrews from being employed by Access, provided that she does not work on matters involving LDEQ’s Office of Management and Finance.

The Board considered an advisory opinion request in Docket No. 24-468 concerning transactions between the Winn Parish Library and an immediate family member of a Winn Parish Library Board Member. On motion made, seconded and unanimously passed, the Board concluded that Section 1113B of the Code of Governmental Ethics prohibits Brent Chandler and his business from entering into any transactions that are under the supervision or jurisdiction of

his sister's agency, the Winn Parish Library while his sister, Ms. Marcie Huddleston, continues to serve on the Winn Parish Library Board.

The Board considered an advisory opinion request in Docket No. 24-478 from Chief Miller regarding whether the Code of Governmental Ethics permits Michael Richoux, his girlfriend's son, to serve as a State certified fire prevention inspector for the Live Oak Manor Volunteer Fire Department (Department) while he serves as Chief. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics permits Michael Richoux to be employed and serve as a State certified fire prevention inspector for the Department while Brian K. Miller serves as Chief of the Department.

The Board considered an advisory opinion request in Docket No. 24-527 from Joseph Dominick, Executive Director of the Florida Parish Juvenile Detention Center, regarding whether he can provide private consulting services to other governmental entities. On motion made, seconded and unanimously passed, the Board concluded that Section 1113A(1)(a) of the Code of Governmental Ethics does not prohibit Mr. Dominick from entering into contracts to provide private consulting services with other governmental entities, such as other judicial districts, parishes, the State of Louisiana, or other states.

Board Member Colomb recused himself from voting on Docket No. 24-364.

The Board considered a request to withdraw an advisory opinion request in Docket No. 24-364 regarding the post-employment restrictions that apply to a former Vermilion Parish Sheriff's Office ("VPSO") employee. On motion made, seconded and unanimously passed, the Board denied the request to withdraw the advisory opinion request. On motion made, seconded and unanimously passed, the Board concluded that the post-employment restrictions contained in the Code of Governmental Ethics prohibit Mr. Kirk J. Frith from providing risk management

consulting services on a contractual basis to the VPSO Correctional Division until September 30, 2025, since Mr. Frith was the agency head of the Correctional Division and those risk management services would involve the VPSO Correctional Division. The Board further advised that if Mr. Frith wishes to provide any contractual services to the other divisions of VPSO, he should seek an updated advisory opinion on the applicability of the Code of Governmental Ethics post-employment restrictions.

The Board considered an advisory opinion request in Docket No. 24-394 from Dr. Curtis Penrod with the School of Business at Northwestern State University regarding Dr. Eddie Horton providing compensated services to CompTIA. On motion made, seconded and unanimously passed, the Board deferred the matter to get additional information regarding the consulting services to be provided by Dr. Eddie Horton.

The Board considered an advisory opinion request in Docket No. 24-471 regarding whether the Code of Governmental Ethics prohibits Allie DeLeo-Allen's company, DKB Solutions, LLC, from providing services to Louisiana Tech University's Innovation Enterprise Division following her retirement from Louisiana Tech University. On motion made, seconded and unanimously passed, the Board concluded that Section 1121B(1) does not prohibit DKB Solutions, LLC, from providing services to Louisiana Tech University's Innovation Enterprise Division to coordinate and manage funding proposal projects.

The Board considered an advisory opinion request in Docket No. 24-479 from La Capitol Federal Credit Union ("La Cap") regarding whether certain logo promotional items are considered "things of economic value" pursuant to the Code of Governmental Ethics and whether the Code of Governmental Ethics prohibits La Cap employees from handing out the logo promotional items to the public without any determination as to the status of the customer as a

public servant. On motion made, seconded and unanimously passed, the Board concluded that based on the facts presented, Section 1102(22)(a) of the Code of Governmental Ethics specifically excludes promotional items of no substantial resale value from being “things of economic value”, and the Code of Governmental Ethics does not prohibit La Cap employees from providing the promotional items to customers without any determination as to the status of the customer as a public servant.

The Board considered an advisory opinion request in Docket No. 24-506 submitted on behalf of The St. Tammany Charter Foundation (Foundation) regarding whether the Code of Governmental Ethics prohibits the Foundation from appointing its founding Director and President, Dr. Melissa Meyer/Howe, as the Principal of the Charter School. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Dr. Melissa Meyer/Howe from being employed as Principal of the charter school, provided the decisions are made prior to the awarding of a charter to the Foundation.

The Board considered the following general business agenda items:

Board Member Grand recused himself from voting on the July 2 and July 3, 2024 meeting minutes.

On motion made, seconded and unanimously passed, the Board approved the July 2 and July 3, 2024 meeting minutes.

The Board considered a consent opinion in Docket No. 22-081 regarding Earl B. "Ben" Zahn, III, former Mayor for the City of Kenner, related to charges filed against him in connection with legal services provided to him by Chehardy Sherman Williams Law Firm. On motion made, seconded and unanimously passed, the Board adopted for publication the consent

opinion. The Board dismissed the charges filed against Earl B. “Ben” Zahn III with the Ethics Adjudicatory Board.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a consent opinion in Docket No. 23-270 regarding Thomas Jones, Jr., a successful candidate for Mayor of the City of Mansfield, DeSoto Parish, in the March 26, 2022 election, concerning payments for voter transportation and payments to family members. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion and authorized staff to dismiss the lawsuit since Mr. Jones has signed a consent opinion for violations of the Campaign Finance Disclosure Act and has refunded his campaign and paid the civil penalty.

The Board considered an advisory opinion rendered in Docket No. 24-332 regarding whether the Code of Governmental Ethics prohibited Henry Whitehorn, Jr. from being re-employed with the Caddo Parish Sheriff’s Office before his father, Henry Whitehorn, Sr., took office as Sheriff on July 1, 2024. On motion made, seconded and unanimously passed, the Board recalled and vacated the advisory opinion issued at the June 2024 meeting since the opinion was based on false representations made by Mr. Whitehorn, Jr. The Board also instructed staff not to publish the June 2024 opinion on its website.

The Board considered legislation enacted in connection with the 2024 Regular Legislative Session. Kathleen Allen presented a detailed handout of items that need Board approval regarding the legislative changes. On motion made, seconded and unanimously passed, the Board adopted and approved the proposed rules and updated forms.

The Board took a recess from 11:27 a.m. to 11:40 a.m.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board

unanimously agreed to take action on the requests for “good cause” waivers of late fees assessed against candidates and committees included in item G26, en globo, subject to any items being removed from the en globo listing for further discussion.

On motion made, seconded and unanimously passed, the Board adopted the staff recommendations on the items in G26, except 24-349 taking the following action:

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board unanimously declined to waive the campaign finance late fees assessed against the following:

Docket No. 24-309 from Revitalize Northeast Louisiana PAC, August 2023 Monthly of a \$1,800 late fee;

Docket No. 24-337 from Julius Romano, 10-G of a \$2,000 late fee;

Docket No. 24-429 from Timothy “Tim” Baudier, 2023 SUPP of a \$160 late fee; and,

Docket No. 24-457 from Douglas Streety, Jr., 40-G of a \$440 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board unanimously suspended all but \$100 based on future compliance with the reporting requirements in the Campaign Finance Disclosure Act against the following:

Docket No. 24-313 from Marietta Leonards, 10-G of a \$760 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a waiver request in Docket No. 24-349 regarding the \$60, \$840, and \$2,000 campaign finance late fees assessed against Robert "Max" Grodner, Jr., an unsuccessful candidate for State Representative, 68th Representative District in the October 14, 2023 election, whose 30-P, 10-P & 10-G campaign finance disclosure reports were filed 1, 14 and 99 days late, respectively. On motion made, seconded and unanimously passed, the Board deferred the matter until the next meeting.

The Board unanimously agreed to take action on the requests for “good cause” waivers of personal financial disclosure late fees assessed against individuals contained in item G27, en globo, subject to any items removed from the en globo listing for further discussion.

On motion made, seconded and unanimously passed, the Board adopted the staff recommendations on the items in G27, except for Docket No. 23-026, taking the following action:

The Board unanimously declined to waive all of the personal financial disclosure late fees assessed against the following:

Docket 23-862 Reddex Lamont Washington, Jr., 2021 Tier 2, 88 days late of a \$2,500 late fee;

Docket 23-1012 Valerie Williams Allen, 2021 Tier 3, 8 days late of a \$200 late fee;

Docket 23-1043 Miguel "Roche" Romar, Amended 2021 Tier 2, 189 days late of a \$2,500 late fee; and,

Docket 23-1085 Cynthia H. Brocks, 2022 Tier 3, 54 days late of a \$500 late fee.

Chairwoman Roberts recused herself from voting on Docket No. 23-026 and vacated the Chair. Board Member Lavastida assumed the Chair.

The Board considered a waiver request in Docket No. 23-026 submitted by Christopher Dion Archinard, an unsuccessful candidate for Calcasieu Parish School Board, District 2, in the November 8, 2022 election, regarding a \$500 late fee assessed for filing his 2021 Tier 2 candidate personal financial disclosure 5 days late and a \$100 late fee assessed for filing his amended 2021 Tier 2 candidate personal financial disclosure 1 day late. On motion made, seconded and unanimously passed, the Board for the 2021 Tier 2 Candidate report initially filed, suspended all of the \$500 late fee based on future compliance with the Code of Governmental Ethics and waived the \$100 late fee for the 2021 Tier 2 Candidate report.

Board Member Lavastida vacated the Chair and Chairwoman Roberts resumed the Chair.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered the untimely waiver request in Docket No. 24-336 submitted by Dexter T. Lathan, an unsuccessful candidate for State Senator, 22<sup>nd</sup> Senatorial District in the October 14, 2023 election, regarding \$1,320 and \$120 campaign finance late fees assessed for filing his 30-P and

10-P campaign finance reports 22 days and 2 days late, respectively. On motion made, seconded, and unanimously passed, the Board considered the untimely waiver request for 30-P and 10-P reports. On motion made, seconded and unanimously passed, the Board, with respect to the 30-P report, reduced the late fee to \$600 based on Rule 1205C, and suspended all but \$200 of the \$600 late fee based on future compliance, and, with respect to the 10-P report, declined to waive the \$120 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a timely waiver request in Docket No. 24-336 submitted by Dexter T. Lathan, an unsuccessful candidate for State Senator, 22<sup>nd</sup> Senatorial District in the October 14, 2023 election, regarding a \$300 campaign finance late fees assessed for filing his 10-G campaign finance report 5 days late. On motion made, seconded and unanimously passed, the Board suspended all but \$200 of the \$300 late fee based on future compliance.

The Board unanimously agreed to take action on the requests for reconsiderations of late fees assessed against individuals included in item G29, en globo, subject to any items being removed from the en globo listing for further discussion.

On motion made, seconded and unanimously passed, the Board adopted the staff recommendations on the items in G29, except for Docket No. 24-043, taking the following action:

The Board considered a reconsideration request in Docket No. 23-380 regarding the Board's decision to decline to waive a \$1,500 late fee assessed against David K. Jarreau, a former member of the Pointe Coupee Parish Tourist Commission, for filing his 2020 Tier 2.1 annual personal financial disclosure 615 days late. On motion made, seconded and unanimously

passed, the Board affirmed its decision to decline to waive since Mr. Jarreau failed to provide any supporting documentation for his financial hardship.

The Board considered a reconsideration request in Docket No. 23-479 regarding the Board's decision to decline to waive a \$2,500 late fee assessed against Linda Rasberry Smith, an unsuccessful candidate for Caddo Parish School Board, in the November 8, 2022 election, for filing her 2021 Tier 2 candidate personal financial disclosure 124 days late. On motion made, seconded and unanimously passed, the Board affirmed its prior decision to decline to waive since no new information was submitted.

Board Member Ellis recused himself from voting on Docket No. 23-793

The Board considered a reconsideration request in Docket No. 23-793 regarding the Board's decision to decline to waive a \$2,500 late fee assessed against Erika L. Green, a former member of the Metro Council, District 5, East Baton Rouge Parish, for filing her 2021 Tier 2 annual personal financial disclosure 35 days late. On motion made, seconded and unanimously passed, the Board affirmed its prior decision to decline to waive since Ms. Green failed to state good cause, which is outside of the control of the filer as required by Section 1157(A)(1)(b) of the Code of Governmental Ethics and the financial information submitted does not support a financial hardship.

The Board considered a reconsideration request in Docket No. 23-957 regarding the Board's decision to decline to waive a \$2,500 late fee assessed against Carlos Luis Zervigon, a member of School Board, District 6, Orleans Parish, for filing his 2022 Tier 2 annual personal financial disclosure 47 days late. On motion made, seconded and unanimously passed, the Board affirmed its prior decision to decline to waive since no new information was submitted.

The Board considered a reconsideration request in Docket No. 23-989 regarding the Board's decision to decline to waive a \$2,500 late fee assessed against Raphineas Gerald "Ray" Riley, candidate for Council Member, City of Denham Springs, Livingston Parish, for filing his amended 2021 Tier 2 candidate personal financial disclosure 363 days late. On motion made, seconded and unanimously passed, the Board affirmed its prior decision to decline to waive since Mr. Riley failed to state good cause, which is outside of the control of the filer as required by Section 1157(A)(1)(b) of the Code of Governmental Ethics.

The Board considered a reconsideration request in Docket No.24-042 regarding the Board's decision to decline to waive a \$2,500 late fee assessed against Clifton Morris, Constable, District 2, East Feliciana Parish, for filing his amended 2020 Tier 2 annual personal financial disclosure 351 days late. On motion made, seconded and unanimously passed, the Board affirmed its prior decision to decline to waive since Mr. Morris failed to state good cause, which is outside of the control of the filer as required by Section 1157(A)(1)(b) of the Code of Governmental Ethics.

The Board considered a reconsideration request in Docket No. 24-112 regarding the Board's decision to decline to waive a \$2,500 late fee assessed against Harvey White, an unsuccessful candidate for State Senate, District 33, in the October 14, 2023 election, for failing to file his 2022 Tier 2 candidate personal financial disclosure. On motion made, seconded and unanimously passed, the Board affirmed its prior decision to decline to waive since no new information was submitted.

The Board considered a reconsideration request in Docket No. 24-043 regarding the Board's decision to decline to waive a \$1,050 late fee assessed against Stacey King, a former member of the West Feliciana Parish Tourist Commission, for filing his 2021 Tier 2.1 annual

personal financial disclosure 21 days late. On motion made, seconded and unanimously passed, the Board suspended all of the late fee based on future compliance since the staff confirmed that her term ended in December 2021, making it her final personal financial disclosure.

The Board considered the following items on the General Supplemental Agenda.

The Board considered a disqualification plan in Docket No. 24-366 from Jessica Baudoin, an Office of Motor Vehicles employee, and her sister, Shantel Thomas, also an Office of Motor Vehicles employee. On motion made, seconded, and unanimously passed, the Board approved the disqualification plan since the proposed plan meets the requirements of the Board pursuant to Louisiana Administrative Code Title 52, Chapter 14, Section 1402.

The Board considered the charges issued in Docket No. 2011-835 and pending litigation against Greg Gachassin and The Cartesian Company. On motion made, seconded and unanimously passed, the Board instructed staff to file a stipulated judgement with the Ethics Adjudicatory Board to resolve the pending involving the charges issued against Greg Gachassin and The Cartesian Company.

On motion made, seconded and unanimously passed, the Board adjourned at 11:52 a.m.

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Secretary

APPROVED:

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Chairwoman