

LOUISIANA BOARD OF ETHICS
GENERAL MINUTES
July 3, 2024

The Board of Ethics met on July 3, 2024 at 9:05 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, Colomb, Couvillon, Ellis, Grimley, Lavastida, Roberts, Scott and Speer were present. Board Members Bryant and Grand were absent. Also present were the Ethics Administrator, Kathleen Allen; the Executive Secretary, Carolyn Abadie Landry; and Counsel Tracy Barker, Mallory Guillot, Jessica Meiners, Suzanne Mooney and Charles Reeves.

Michael Reese Davis, an attorney on behalf of United Healthcare Community Plan and Optum Rx, Inc. and Brad Hubbard, on behalf of United Healthcare Community Plan and Optum Rx, Inc. appeared before the Board in Docket No. 24-129 regarding whether the Code of Governmental Ethics prohibits United Healthcare Community Plan and OptumRx, Inc. from paying attorney fees to attorneys who have Contracted for Professional Legal Services with the Louisiana Department of Justice. Kathleen Allen requested time to call Mr. Michael Dupree, attorney for the Louisiana Attorney General's Office, who was not currently in attendance and had submitted documentation for the Board's consideration. The Board took a recess from 9:06 am to 9:18 am. The Board deferred the matter for thirty minutes to allow time for Mr. Dupree to attend the meeting.

The Board considered a request to reconsider its decision to decline to waive in Docket No. 24-109 regarding 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 until the August meeting.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G3-G14 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 G3-G14, excluding items G5 and G8, taking the following action:

The Board considered a withdrawal request for an advisory opinion in Docket No. 23-581 regarding whether Thecla, LLC is prohibited from submitting a proposal to design, implement, manage, maintain, and supervise a single remittance system for the Louisiana Uniform Local Sales Tax Board. On motion made, seconded and unanimously passed, the Board granted the request to withdraw the advisory opinion.

The Board considered an advisory opinion request in Docket No. 23-915 from Benjamin R. Bell, on behalf of the Housing Authority of Jefferson Parish ("HAJP"), as to whether a HAJP Commissioner may participate in certain matters regarding a lawsuit involving an entity in which that Commissioner serves as an officer. On motion made, seconded and unanimously passed, the Board concluded that while Darin Collins is the sole resident of Acre Road, Mr. Collins, in his capacity as a member of the Board of Commissioners of HAJP, is prohibited from participating in any matters relating to Acre Road. Further, while he is President of Marrero Tenants Organization, Inc., a Louisiana non-profit corporation ("MTO"), Mr. Collins, in his capacity as a member of the Board of Commissioners of HAJP, is prohibited from participating in any matters in which MTO has a substantial economic interest. Mr. Collins must recuse himself from participating in such matters.

The Board considered an advisory opinion request in Docket No. 24-291 from Archie Watson, on behalf of the Maintenance Division of the Shreveport Fire Department (the "Maintenance Division"), regarding whether the Code of Governmental Ethics permits the Maintenance Division to hire the son of a current employee. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit the Maintenance Division from hiring Austin McCollum, while the Maintenance Division also employs Randy McCollum, and prohibits Randy McCollum from participating in any supervision of Austin McCollum, for which Archie Watson should submit a disqualification plan.

The Board considered an advisory opinion request in Docket No. 24-334 from Nicole Dunn, a former employee of the Louisiana Department of Transportation and Development ("DOTD"), regarding post-employment restrictions applicable to her employment with Meyers Engineering. On motion made, seconded and unanimously passed, the Board concluded that Section 1121B of the Code of Governmental Ethics prohibits Ms. Dunn, for a period of two years following her resignation from DOTD, from assisting Meyers Engineering in any transactions involving DOTD or the State of Louisiana, in which she participated while employed by DOTD. Specifically, Ms. Dunn is prohibited from assisting Meyers Engineering in either the Roundabout - Pr 929 & Parker Roads (H.006457) and Roundabout-Churchpoint Road/Roddy Road (H.006459) projects since she participated as DOTD coordinator in those transactions. However, she is not prohibited from assisting Meyers Engineering in other transactions involving DOTD, provided she did not participate in those transactions. Further, Section 1121B of the Code of Governmental Ethics prohibits Ms. Dunn, for the same two-year period, from rendering the same project engineering services on a contractual basis to Meyers Engineering if those services are rendered

to, for, or on behalf of her former agency, the DOTD Brittany Project Engineer Office. However, the Code of Governmental Ethics does not prohibit Ms. Dunn from rendering project engineering services to other state agencies or local governmental entities.

The Board considered an advisory opinion request in Docket No. 24-377 from Shantell Lee, a former employee of the Louisiana Department of Education (“LDOE”), regarding post-employment restrictions. On motion made, seconded and unanimously passed, the Board concluded that Section 1121B does not prohibit Ms. Lee from rendering professional development services to Imagine Learning since Ms. Lee stated that she did not participate in any transactions involving Imagine Learning while employed by LDOE and her employment with Imagine Learning will not involve LDOE Division of Academic Content.

The Board considered an advisory opinion request in Docket No. 24-382 regarding whether the Code of Governmental Ethics permits Todd Eppley to provide services to Inframark, LLC, following his retirement from the Plaquemines Parish Government. On motion made, seconded and unanimously passed, the Board concluded that until December 31, 2024, the Code of Governmental Ethics prohibits Mr. Eppley from assisting Inframark, LLC with any transactions involving Plaquemines Parish Public Works Department or from rendering any service on a contractual basis to or for Plaquemines Parish Public Works Department.

The Board considered an advisory opinion request in Docket No. 24-384 from John Cook, on behalf of Vermilion Charter Foundation, a Louisiana non-profit corporation (“VCF”), as to whether the Code of Governmental Ethics would allow a contractor of VCF to hire the spouse of a VCF board member to provide services to a school which VCF operates. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental

Ethics prohibits the spouse of Karen Miller Lewis from being hired by CSUSA to perform work for VCF while Ms. Lewis serves as a member of the VCF board of directors.

The Board considered a withdrawal request of an advisory opinion in Docket No. 24-385 regarding the outside employment of a spouse of a member of the Board of Supervisors of Southern University with a prohibited source. On motion made, seconded and unanimously passed, the Board allowed the withdrawal of the advisory opinion request.

The Board considered a request for approval of a disqualification plan in Docket No. 24-396 regarding Red River Parish School District's employment of Krystle and Fonda Mosely. On motion made, seconded and unanimously passed, the Board concluded that the proposed disqualification plan meets the requirements of the Board under Louisiana Administrative Code Title 52, Chapter 14, Section 1402.

The Board considered an advisory opinion request in Docket No. 24-470 regarding whether the Code of Governmental Ethics prohibits the appointment of a doctor to the Tangipahoa Parish Hospital Service District No. 1 d/b/a North Oaks Hospital Board of Directors while the doctor has a contract with the North Oaks Hospital. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits a doctor who has a contract with the Tangipahoa Parish Hospital Service District No. 1 d/b/a North Oaks Hospital from being appointed to and serving on the Tangipahoa Parish Hospital Service District No. 1 d/b/a North Oaks Hospital Board of Directors.

The Board considered an advisory opinion request in Docket No. 24-290 whether the Code of Governmental Ethics permits the Terrebonne Port Commission to purchase land from a company owned by Senator Michael Fesi. On motion made, seconded and unanimously passed,

the Board concluded that Section 1113D of the Code of Governmental Ethics does not prohibit Senator Fesi and Pipeline Construction Maintenance, Inc. from entering into a contract with the Terrebonne Port Commission for the sale and lease of property.

The Board considered an advisory opinion request in Docket No. 24-365 from Corey Bardwell regarding whether the Code of Governmental Ethics permits him to perform services for a company that does business with the City of Alexandria while the City employs his father. On motion made, seconded and unanimously passed, the Board deferred the matter to allow staff to obtain additional information.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the June 6 and June 7, 2024 meetings.

The Board considered two consent opinions in Docket No. 22-060 regarding Donald Cravins Insurance Agency and Charles Cravins, former District Attorney for the 27th Judicial District. Donald Cravins, on behalf of Donald Cravins Insurance Agency, has executed a consent opinion agreeing to a violation of La. R.S. 42:1113(A) and paid the \$500.00 civil penalty. Charles Cravins has executed a consent opinion agreeing to a violation of La. R.S. 42:1112B(1) with a civil penalty of \$500.00. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion for Donald Cravins Insurance Agency and the consent opinion for Charles Cravins.

The Board considered legislation introduced in connection with the 2024 Regular Legislative Session. Kathleen Allen prepared a chart and several handouts for the Board to review regarding all legislation enacted or pending before the Governor for approval. The Board deferred this matter until later in the meeting and considered G2.

Mr. Michael Dupree, attorney for Louisiana Attorney General's Office; Mr. Michael Reese Davis, attorney for United Health Care Community Plan and Optum Rx, Inc.; Mr. Brad Hubbard, on behalf of United Health Care Community Plan and Optum Rx, Inc., appeared before the Board in Docket No. 24-129 regarding an advisory opinion request on behalf of United Healthcare Community Plan and OptumRx, Inc., as to whether the Code of Governmental Ethics prohibits United Health Care Community Plan and Optum Rx from paying attorney fees to attorneys who have Contracts for Professional Legal Services with the Louisiana Department of Justice. On motion made, seconded and unanimously passed, the Board declined, without prejudice, to render an opinion based on the lack of specific terms of a settlement agreement.

The Board returned to G17 to review the Legislative Summary, Status, and Actions.

The Board took a recess from 10:59 a.m. to 11:15 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 G18, 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 G18, except 24-310 and 24-311, 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. 22-512 from We Love Terrebonne PAC, January 2022 Monthly of a \$1,000 late fee;

Docket No. 22-711 from Laine P. Landry, Sr., 2020 SUPP of a \$1,000 late fee;

Docket No. 24-097 from Gulf Coast PAC, May 2023 Monthly of a \$2,000 late fee;

Docket No. 24-142 from Carl Chapman, 30-P of a \$1,000 late fee;

Docket No. 24-312 from Dixie Ramirez, 30-P of a \$800 late fee

Docket No. 24-314 from Mary A. Giles, 10-P of a \$1,000 late fee; and,

Docket No. 24-314 from Mary A. Giles, 10-G of a \$1,000 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board unanimously reduced to \$600 based on Section 1205C of the Rules for the Board of Ethics and declined to waive the campaign finance late fee assessed against the following:

Docket No. 24-100 from Kenneth Edward Havard, 30-P of a \$2,000 late fee;
Docket No. 24-100 from Kenneth Edward Havard, 10-P of a \$2,000 late fee;
Docket No. 24-100 from Kenneth Edward Havard, 10-G of a \$2,000 late fee;
Docket No. 24-315 from Kenneth Stewart, 10-G of a \$2,000 late fee;
Docket No. 24-338 from Jennifer Murrell Futrell, 30-P of a \$780 late fee; and,
Docket No. 24-338 from Jennifer Murrell Futrell, 10-G of a \$2,000 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board unanimously reduced to \$400 based on Section 1205C of the Rules for the Board of Ethics and declined to waive the campaign finance late fee assessed against the following:

Docket No. 24-142 from Carl Chapman, 10-P of a \$1,000 late fee;
Docket No. 24-312 from Dixie Ramirez, 10-P of a \$1,000 late fee; and,
Docket No. 24-314 from Mary A. Giles, 40-G of a \$480 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a waiver request in Docket No. 24-310 regarding a \$1,200 and a \$480 campaign finance late fees assessed against Latoya Hogan, an unsuccessful candidate for Assessor for St. Helena Parish in the October 14, 2023 election, whose 30-P and 10-G campaign finance disclosure reports were filed 20 and 8 days late, respectively. On motion made, seconded and unanimously passed, the Board suspended all of the late fees based on future compliance with the provisions of the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a waiver request in Docket No. 24-311 regarding a \$1,000 and a \$480 campaign finance late fees assessed against Ann Bowman, an unsuccessful candidate for Police Juror in the October 14, 2023 election, whose 10-P and 10-G campaign finance disclosure reports were filed 47 and 12 days late, respectively. On motion made, seconded and unanimously passed, the

Board suspended all of the late fees based on future compliance with the provisions of the Campaign Finance Disclosure Act.

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 G19, 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 G19, taking the following action:

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

Docket 23-1086 Hugh Matthew Andre, Amended 2021 Tier 2.1, 4 days late of a \$200 late fee;
Docket 23-1086 Hugh Matthew Andre, Amended 2022 Tier 2, 4 days late of a \$400 late fee;
Docket 24-368 Channing Hamad Washington, Amended 2021 Tier 3, 426 days late of a \$500 late fee;
Docket 24-368 Channing Hamad Washington, 2022 Tier 3, 175 days late of a \$500 late fee;
Docket 24-379 Ernest O’neal Profit, 2022 Tier 3, 96 days late of a \$500 late fee;
Docket 24-381 John Preston “Buck” Stephen, Jr., 2021 Tier 2.1, 8 days late of a \$400 late fee;
Docket 24-386 Anita Anderson Harrell, 2021 Tier 3, 217 days late of a \$500 late fee;
Docket 24-386 Anita Anderson Harrell, 2022 Tier 3, 217 days late of a \$500 late fee;
Docket 24-400 John B. “Trey” Harris, 2022 Tier 2.1, 11 days late of a \$550 late fee; and,
Docket 24-402 William Keith Dennis, Amended 2021 Tier 3, 34 days late of a \$500 late fee.

The Board unanimously suspended all of the personal financial disclosure late fees based on future compliance with the reporting requirements under the Code of Governmental Ethics for the following:

Docket 24-201 James Artez Jones, Amended 2022 Tier 3, not filed of a \$500 late fee
Docket 24-398 Karen Centanni Hazel, Amended 2021 Tier 2.1, 11 days late of a \$550 late fee;
Docket 24-399 Raven Hodges, 2021 Tier 3, 368 days late of a \$500 late fee; and,
Docket 24-403 Teryn Bryant, 2021 Tier 3, not filed of a \$500 late fee.

The Board unanimously suspended all of the late fees but \$250 based on future compliance with the reporting requirements under the Code of Governmental Ethics and payable within 20 days against the following:

Docket 24-401 Sally Shushan Audubon Commission, 2022 Tier 2.1, 20 days late of a \$1,000 late fee.

On motion made, seconded and unanimously passed, the Board deferred all reconsideration waiver requests in G-20 until the August meeting.

On motion made, seconded and unanimously passed, the Board adjourned at 11:20 a.m.

Secretary

APPROVED:

Chairwoman