

LOUISIANA BOARD OF ETHICS
GENERAL MINUTES
MAY 3, 2024

The Board of Ethics met on May 3, 2024 at 9:08 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 Couvillon, Grimley, Lavastida, Roberts, Speer and Scott were present. Board Members Baños, Bryant, Colomb, Ellis, and Grand were absent. Also present were the Ethics Administrator, Kathleen Allen; the Executive Secretary, Carolyn Abadie Landry; and Counsel David Bordelon, Jessica Meiners, and Charles Reeves.

Board Member Colomb arrived at 9:19 a.m.

Ms. Alesia Ardoin, attorney for Harvey White, an unsuccessful candidate for State Senate/ District 33, in the October 14, 2023 election, appeared before the Board in Docket No. 24-112 regarding a \$2,500 late fee assessed for failing to file his amended 2022 Tier 2 candidate personal financial disclosure. After listening to Ms. Ardoin, on motion made, seconded and unanimously passed, the Board declined to waive the late fee.

Mr. Matthew Percy appeared before the Board in Docket No. 24-341 regarding an advisory opinion request concerning Matthew Percy continuing to serve as the Gonzales City Attorney if his father is appointed interim mayor. On motion made, seconded and unanimously passed, the Board deferred the matter to allow Mr. Percy time to review the proposed advisory opinion.

Mr. Michael Dupree, attorney for Louisiana Attorney General's Office; Mr. Michael Reese Davis, attorney for United Health Care Community Plan and Optum Rx; Mr. Eulis Simien Jr., attorney for Simien & Simien, LLC; Ms. Stacie Lambert deBlieux, attorney for Salim-Beasley, LLC, and Mr. Dane S. Ciolino, appeared before the Board in Docket No. 24-129

regarding an advisory opinion request in connection to the payment of legal fees to the State's outside counsel contracted with the Office of the Attorney General through a proposed fee award/settlement arrangement. On motion made, seconded and unanimously passed, the Board deferred the matter to allow staff to request contacts and to receive more information.

Mr. Matthew Percy appeared before the Board in Docket No. 24-341 after he read the advisory opinion draft. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Mr. Percy from continuing to serve as Gonzales City Attorney. However, as mayor, his father would be prohibited from participating in any matter involving the city, which results in Mr. Percy billing the city for work as City Attorney.

Maria Harmon, Step Up for Action, appeared before the Board in Docket No. 24-173 requesting that the Board waive a \$1,000 campaign finance late fee assessed against Step Up for Action as an "other person" in the October 14, 2023 election, and Benjamin Zucker, Co-Director, whose 30-P campaign finance disclosure report was filed 54 days late. In its capacity as the Supervisory Committee on Campaign Finance Disclosure and after hearing from Ms. Harmon, on motion made, seconded and unanimously passed, the Board declined to waive the late fee.

The Board took a break from 10:41 a.m. to 10:54 a.m.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G2-G16 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 G2-G16, excluding item G8, taking the following action:

The Board considered an advisory opinion request in Docket No. 24-106 regarding whether Young Investment Group L.L.C., owned by Henry Todd Young, may become a vendor for the West Feliciana Parish School Board while Mr. Young's wife is a School Board employee. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Mr. Young or his company, Young Investment Group, L.L.C., from being a 403(b) retirement plan vendor for the West Feliciana Parish School Board while his wife is employed in the School Board's Sales Tax Office.

The Board considered an advisory opinion request in Docket No. 24-125 from Fire Chief Ken Bouvier, on behalf of the City of Westwego Fire Department ("WFD"), as to whether WFD may promote an employee to the position of Assistant Fire Chief of Fire Prevention while his father serves as Assistant Fire Chief of Operations. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Justin Taylor from being promoted to assistant fire chief to the extent that his father, Lonny Taylor, does not participate in such promotion.

The Board considered a withdrawal of an advisory opinion request in Docket No. 24-127 from a former candidate for Aldermen in the Town of Slaughter concerning outside employment, if elected. On motion made, seconded and unanimously passed, the Board allowed the withdrawal of the advisory opinion request since the request is no longer necessary because Ms. Hypatia LaCour was unsuccessful in the election.

The Board considered an advisory opinion request in Docket No. 24-137 from Mary Jacob regarding actions taken by the Louisiana Board of Elementary and Secondary Education ("BESE") concerning the Special Education Advisory Panel ("SEAP"). On motion made,

seconded and unanimously made, the Board declined to render an opinion since the requestor lacks standing to request the advisory opinion.

The Board considered an advisory opinion request in Docket No. 24-162 from Mace Bourgeois on behalf of Fire & Safety Commodities (“FSC”) regarding the continuation of a contract with the State of Louisiana while his wife, Susan Bourgeois, serves as Secretary for the Department of Economic Development. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit FSC from continuing to provide services to the State of Louisiana, if the State exercises its two one-year option periods, provided that such services are not offered to the Louisiana Department of Economic Development.

The Board considered an advisory opinion request in Docket No. 24-163 from Dara Horcasitas, a former employee of the Louisiana Department of Health (“LDH”), Bureau of Health Services Financing (“Medicaid”), Pharmacy Section, as to the post-employment restrictions that apply to her employment with Magellan Rx Management. On motion made, seconded and unanimously passed, the Board concluded that Section 1121B of the Code of Governmental Ethics prohibits Ms. Horcasitas, for a period of two years following her resignation from LDH, from assisting Magellan for compensation in any transactions involving LDH or the State of Louisiana, from rendering the same services on a contractual basis if the services are rendered to, for, or on behalf of her former agency, the Medicaid Pharmacy Section, and from rendering the same financial budgeting services to the Medicaid Pharmacy Section since she provided those same services while employed by LDH. However, the Code of Governmental Ethics does not prohibit Ms. Horcasitas from rendering services to other agencies.

The Board considered an advisory opinion request in Docket No. 24-193 regarding whether the Code of Governmental Ethics prohibits Morehouse Parish Sheriff's Office employees and their immediate family members from bidding and purchasing surplus items through a public auction site. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits employees of the Civil Division and their immediate family members from bidding on or purchasing surplus items through the Morehouse Parish Sheriff's Office or its contracted auction website.

The Board considered an advisory opinion request in Docket No. 24-194 from Teri Parker, District Captain for Ward Six Fire Protection District No. 1 of Calcasieu Parish, regarding her future service as a volunteer firefighter. On motion made, seconded and unanimously passed, the Board concluded that the post-employment restrictions in Section 1121B of the Code of Governmental Ethics are not triggered by the change in position from District Captain to Volunteer Firefighter, as Ms. Parker will remain a public employee for purposes of the Code of Governmental Ethics as a volunteer firefighter. As such, Section 1111A(1)(a) will not prohibit Ms. Parker from receiving the set stipends available to all volunteer firefighters.

The Board considered an advisory opinion request in Docket No. 24-196 from Andrew D'Aquila on behalf of the Town of Slaughter in East Feliciana Parish regarding Board of Alderman Danny Allen Hobgood providing services to the P Group LLC. On motion made, seconded and unanimously passed, the Board concluded that Section 1111C(2)(d) prohibits Mr. Hobgood and his business, Hobgood Garage LLC, from rendering compensated services to P Group LLC, while P Group LLC has a contractual, business, or financial relationship with the Town of Slaughter. The Board also concluded that Section 1117 of the Code of Governmental

Ethics prohibits P Group LLC from making such prohibited payments to Mr. Hobgood and Hobgood Garage LLC.

The Board considered an advisory opinion request in Docket No. 24-197 regarding whether the Code of Governmental Ethics permits Joseph Townsend to provide a seminar to the Board of Examiners of Nursing Facility Administrators (“LABENIFA”) after his retirement as Executive Director of LABENIFA. On motion made, seconded and unanimously passed., the Board concluded that the Code of Governmental Ethics prohibits Mr. Townsend, for two years following the termination of his public service as the head of LABENIFA, from assisting another person, for compensation, in a transaction, or appearance in connection with a transaction, involving LABENIFA or render any service on a contractual basis to or for LABENIFA.

The Board considered an advisory opinion request in Docket No. 24-198 regarding a Natchitoches Parish Council Member purchasing adjudicated property from the Parish through a public auction. On motion made, seconded and unanimously passed, the Board concluded that based on the facts presented, the Code of Governmental Ethics prohibits Mr. Mark Kerry from bidding on or entering into a transaction to purchase property from Natchitoches Parish through a public auction while Mr. Kerry serves as a Natchitoches Parish Council Member.

The Board considered an advisory opinion request in Docket No. 24-199 regarding whether the Code of Governmental Ethics permits Deputy Brandon J. Oubre to be employed with the Patrol Division of the St. Charles Parish Sheriff’s Office while his father serves as Captain of the Patrol Division. On motion made, seconded and unanimously passed, the Board concluded that Brandon J. Oubre may be assigned to the Patrol Division since his father is not the agency head of the Patrol Division. Furthermore, the Board approved the proposed

disqualification plan as it meets the requirements of Chapter 14 of Title 52 of the Louisiana Administrative Code.

The Board considered an advisory opinion request in Docket No. 24-219 from Grant Parish Police Juror Brandon DuBois regarding his outside employment. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits Mr. DuBois's company from selling milled iron ore road rock to any retail rock supplier or business that submits a bid to the Grant Parish Police Jury to supply milled iron ore road rock to Grant Parish.

The Board considered an advisory opinion request in Docket No. 24-237 regarding whether the Code of Governmental Ethics permits Mark Krause to be employed as a police officer for the Village of Sicily Island while his father, Walter Krause, serves as the Mayor. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits Mark Krause from being employed by the Village of Sicily Island while his father serves as Mayor of the Village of Sicily Island.

The Board considered an advisory opinion request in Docket No. 24-164 regarding whether the Code of Governmental Ethics permits Travis Byland to provide engineering services to the Louisiana Coastal Protection and Restoration Authority ("CPRA") after he retires from CPRA. On motion made, seconded and unanimously passed, the Board concluded that for two years following Mr. Byland's retirement, he will be prohibited from participating in any project that he participated in during his employment with CPRA, and he is prohibited from providing any service, on a contractual basis, to the Project Management Division of CPRA that he previously provided during his employment with the Project Management Division. Since Mr. Byland did not render project management services on Grand Isle and Vicinity – Island Length

Breakwaters and Long-Term Sustainability Analysis Project (BA-0277), Mr. Byland will not be prohibited from rendering engineering services to CPRA on this project.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the April 4 and April 5, 2024 meetings.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G18-G21 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 G18-G21, except G21 taking the following action:

The Board considered a consent opinion in Docket No. 21-1041 regarding Mark Savoie, former River Parish Community College employee, violating Section 1121 of the Code of Governmental Ethics. Mr. Savoie executed a consent opinion for violations of Sections 1121 of the Code of Governmental Ethics and paid the \$1,000 civil penalty. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion and dismissed charges pending before the Ethics Adjudicatory Board.

The Board considered a consent opinion in Docket No. 21-1054 regarding former City of New Orleans Deputy Chief Administrative Officer Peter Bowen. Mr. Bowen signed a consent opinion for violating Section 1116A of the Code of Governmental Ethics with a civil penalty of \$6,000. On motion made, seconded, and unanimously passed, the Board adopted the consent opinion for publication.

The Board considered a consent opinion in Docket No. 22-677 regarding Calena Boullard, Executive Director of the Welsh Housing Authority, for violating Section 1115(A)(1)

of the Code of Governmental Ethics, by her receipt of envelopes of money from Lyness Matthews, at a time when Lyness Matthews had, or was seeking to obtain, a contractual, business or financial relationship with Welsh Housing Authority. Calena Boullard has signed a consent opinion admitting she violated Section 1115A(1) of the Code of Governmental Ethics and agreeing to pay a \$2,500 civil penalty. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion.

The Board considered an application for Declaratory Hearing/Declaratory Opinion in Docket No. 24-220 to terminate a controversy or remove uncertainty regarding whether St. Tammany Parish Coroner Christopher Tape's conduct, both qualifying to run for office and after elected officials called for his resignation, violates ethics standards for Louisiana elected officials. On motion made, seconded and unanimously passed, the Board declined to hold a hearing on the Application for Declaratory Opinion.

The Board considered a draft of Rules for the Board of Ethics concerning expenditures made by political committees. On motion made, seconded and unanimously passed, the Board instructed staff to include a promulgate the proposed rules.

The Board considered legislation introduced in connection with the 2024 Regular Legislative Session and took no action.

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 G24, 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 G24, except 24-013, 24-132, and 24-225, 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. 24-012 from Thomas Rodrigue, 30-P of a \$480 late fee;
Docket No. 24-012 from Thomas Rodrigue, 10-G of a \$540 late fee;
Docket No. 24-033 from Darrell "D.D." Teats, 10-P of a \$60 late fee;
Docket No. 24-034 from Scott Washington, 10-G of a \$800 late fee;
Docket No. 24-131 from South Louisiana Medical Assoc.(SLMA) Physician PAC, 30-P of a \$1,400 late fee;
Docket No. 24-133 from Holly Kidd, 10-G of a \$420 late fee;
Docket No. 24-134 from Donald B Vallee, 10-G of a \$480 late fee;
Docket No. 24-143 from William "Bill" Lewis, 10-G of a \$320 late fee;
Docket No. 24-171 from Progressive Pelican PAC, 10-G of a \$1,800 late fee;
Docket No. 24-174 from NOLA Defenders for Equal Justice LLC, 10-G of a \$400 late fee;
Docket No. 24-180 from Emily Fenet Parker, 10-G of a \$1,000 late fee;
Docket No. 24-202 from Working America, 10-P of a \$1,400 late fee; and,
Docket No. 24-221 from Conservative Louisiana, 10-G of a \$3,000 late fee;
Docket No. 24-222 from Courtney Broussard-Fitch, 10-G of a \$400 late fee,
Docket No. 24-224 from Vernon Bailey, Sr., 10-G of a \$240 late fee; and,
Docket No. 24-224 from Vernon Bailey, Sr., 40-G of a \$360 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board unanimously reduced to \$500 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. 24-034 from Scott Washington, 10-P of a \$560 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. 24-037 from Karen Jones, 30-P of a \$660 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board unanimously reduced to \$2,000 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. 24-130 from Shelter Insurance La PAC, 10-G of a \$2,400 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. 24-141 from Jack Harvil, 10-G of a \$480 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board unanimously declined to reinstate the suspension of campaign finance late fee reassessed against the following:

Docket No. 24-171 from Progressive Pelican PAC, 10-G of a \$2,700 late fee; and,
Docket No. 24-171 from Progressive Pelican PAC, 40-G of a \$2,500 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board unanimously suspended all but \$160 based on future compliance with the reporting requirements in the Campaign Finance Disclosure Act against the following:

Docket No. 24-223, from Joshua Ebarb, 10-G of a \$1,000 late fee.

Board Member Colomb recused himself from voting on Docket Nos. 24-013 and 24-132.

The Board considered a waiver request in Docket No. 24-013 regarding a \$240 campaign finance late fee assessed against Amy Senegal Trahan, a successful candidate for Member of School Board, District 4, Lafayette Parish, in the October 14, 2023 election, whose 30-P campaign finance disclosure report was filed 6 days late. On motion made, seconded and unanimously passed, the Board declined to waive the late fee.

The Board considered a waiver request in Docket No. 24-132 regarding a \$40 campaign finance late fee assessed against Kenneth P. Boudreaux, a successful candidate for City Council Member, District 5, City of Lafayette in the October 14, 2023 election, whose 2020 Annual campaign finance disclosure report was filed 1 day late. On motion made, seconded and unanimously passed, the Board declined to waive the late fee.

The Board considered a waiver request in Docket No. 24-225 regarding a \$1,000 and \$80 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 report were filed 2 and 330

days late, respectively. On motion made, seconded and unanimously passed, the Board deferred the matter.

The Board considered a lobbying waiver request in Docket No. 24-145 regarding a \$200 late fee assessed against Shuneki Pea-Williams for the late filing of the December 2023 Lobbying Expenditure report. On motion made, seconded and unanimously passed, the Board waived the late fee since this is Shuneki Pea-Williams' first late filing,

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

The Board considered an advisory opinion request regarding outside employment in Docket No. 24-238 from Tireka Cobb, a Louisiana Department of Education ("LDOE") employee in the Division of Federal Support and Grantee Relations. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Ms. Cobb from accepting a part-time position with the National Association of Professional College & Career Advisors Foundation working as an Assistant Dean of Enrollment for the Medical Physician Preparation Academy while maintaining her current employment with LDOE.

The Board considered an advisory opinion request and approval of a disqualification plan in Docket No. 24-239 regarding Rick Courtney and Haley Courtney's employment at Jackson's Eastern Louisiana Mental Health System ("ELMHS") facility. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Haley Courtney from continuing her employment in the ELMHS Human Resources Department if her father, Rick Courtney, is hired as ELMHS Human Resources Director. Additionally, the Board approved the proposed disqualification plan.

The Board considered an advisory opinion request regarding post-employment and outside employment issues in Docket No. 24-266 from Perry Stagg, former Office of Juvenile Justice Assistant Secretary and current employee at Dixon Correctional Institute. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics permits Perry Stagg to enter into a consulting service contract with his former agency, the Louisiana Office of Juvenile Justice, while he is working as an employee at Dixon Correctional Institute.

The Board considered an advisory opinion request in Docket No. 24-322 from Andy Messina, an employee of Terrebonne High School, as to whether he can offer voice lessons to his students during the summer. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits Mr. Messina from providing private, compensated voice lessons to students in Mr. Messina's classes at Terrebonne High School.

The Board considered Docket No. 2019-1149 regarding charges against Lashaun Wheeler. On motion made, seconded and unanimously passed, the Board dismissed the charges.

Kathleen Allen reminded Board members that their personal financial disclosures are due by May 15, 2024.

On motion made, seconded and unanimously passed, the Board adjourned at 11:19 a.m.

Secretary

APPROVED:

Chairwoman