

LOUISIANA BOARD OF ETHICS
MINUTES
February 3, 2023

The Board of Ethics met on February 3, 2023 at 9:06 a.m. in the LaBelle Room on the 1st floor of the LaSalle Building located at 617 North Third Street, Baton Rouge, Louisiana with Board Members Bryant, Colomb, Couvillon, Grimley, Roberts, Scott and Speer present. Board Members Baños, Ellis, Grand and Lavastida were absent. Also present were the Ethics Administrator, Kathleen Allen; Executive Secretary, Carolyn Abadie Landry; and Counsel Tracy Barker, David Bordelon, Mallory Guillot, LaToya Jordan, Suzanne Mooney and Charles Reeves.

Board Member Grand arrived at 9:10 a.m.

The Board began meeting with an appearance from the General Supplemental.

Board Member Bãnos, arrived at 9:18 a.m.

Mr. Robert Dean, treasurer of Citizens for a Better Caddo, Inc., a political action committee, appeared before the Board in Docket No. 22-261 requesting that the Board reconsider its decision to decline to waive two \$3,000 campaign finance late fees assessed against Citizens for a Better Caddo, Inc., whose 2017 and 2018 Annual campaign finance disclosure reports were filed 587 and 222 days late, respectively. In its capacity as the Supervisory Committee on Campaign Finance Disclosure and after hearing from Mr. Dean, a motion was made to adopt staff recommendation and no second so the motion died. On motion made, seconded and unanimously passed, the Board suspended both \$3,000 late fees for a total of \$6,000 based on future compliance.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G1-G13 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 G1-G13, excluding items G2, G4, G7, G8 and G9 taking the following action:

The Board considered an advisory opinion request in Docket No. 22-847 submitted on behalf of the Board of Trustees of Lake Charles Academy Foundation Inc. ("Foundation") regarding whether the Code of Governmental Ethics prohibits the Foundation from contracting with three Foundation employees to manage the Foundation's three charter schools. On motion made, seconded and unanimously passed, the Board concluded that Shanice Williams, Freddie Harrison, and Lionel Thierry, and any legal entities in which that have an interest greater than 25%, are prohibited by Section 1113A of the Code of Ethics from entering into a contract with the Foundation to manage the Foundation's charter schools.

The Board considered an advisory opinion request in Docket No. 22-923 from Karen Yarbrough, on behalf of Louisiana Department of Child and Family Services, as to whether they may employ a member of the Monroe City Council. On motion made, seconded and unanimously passed, the Board declined to render an opinion since the laws regarding dual office holding and dual employment found under La. R.S. 42:61, et seq., are not administered by the Louisiana Board of Ethics. Questions regarding those laws should be directed to the local District Attorney or the Louisiana Attorney General's Office.

The Board considered an advisory opinion request in Docket No. 22-925 from the Lafayette City Marshal, Reggie Thomas, regarding whether his nephew may be employed by the Lafayette City Marshal's Office. On motion made, seconded and unanimously passed, the Board concluded that Mr. Thomas' nephew is not prohibited from being employed by the Lafayette

City Marshal's Office as a nephew is not an immediate family member as defined by Section 1102(13) of the Code of Governmental Ethics.

The Board considered an advisory opinion request in Docket No. 22-928 from Leisa Deshotel, Mayor of Mamou, regarding continued public employment, donation of services, and transactions with the town. On motion made, seconded and unanimously passed, the Board concluded that 1) Mayor Deshotel may not participate in any transactions between the Town and the District in which she, personally, has a substantial economic interest; 2) Mayor Deshotel may donate notarial services to the Town; and, 3) in the absence of a plan submitted to and approved by the Board pursuant to Section 1123(22) of the Code of Governmental Ethics, Mayor Deshotel and any business in which she has a controlling interest are prohibited from transacting with the Town. The Board specifically declined to render any opinion as to dual office-holding and dual employment laws since the laws found under La. R.S. 42:61 *et seq.* are not administered by the Louisiana Board of Ethics. Questions regarding those laws should be directed to the Local District Attorney or the Louisiana Attorney General's Office.

The Board considered an advisory opinion request in Docket No. 22-945 regarding post-employment restrictions applied to Annette Arthur, Program Manager of Office of Behavioral Health, seeking employment as a Crisis Liaison for the Louisiana Crisis Response System. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Ms. Arthur from serving as a Crisis Response Liaison for a Managed Care Organization, since she did not work on the Louisiana-Crisis Response System as an employee of Louisiana Department of Health.

The Board considered an advisory opinion request in Docket No. 22-980 submitted by Dr. Gregory Gormanous, concerning whether the Code of Governmental Ethics would prohibit

Board members of the Louisiana State Board of Examiners of Psychologists ("LSBEP") from receiving complimentary continuing education credit for attending The Association of State and Provincial Psychology Boards ("ASPPB") conference meetings. On motion made, seconded and unanimously passed, the Board concluded that based on the facts presented, the Code of Governmental Ethics does not prohibit LSBEP Board members from receiving complimentary continuing education credit for attending all ASPPB meetings.

The Board considered an advisory opinion request in Docket No. 22-981 submitted on behalf of the Iberville Parish School Board regarding whether Section 1113A of the Code of Governmental Ethics prohibits the Iberville Parish School Board's Maintenance Department from entering into a contract with Barker Brothers Plumbing while James Barker is employed with the Iberville Parish School Board's Maintenance Department. On motion made, seconded and unanimously passed, the Board concluded that Jude Barker and/or his legal entity, Barker Brothers Plumbing, are prohibited from bidding on or entering into any contract, subcontract or other transaction with the Iberville Parish School Board's Maintenance Department.

The Board considered a request to approve an amended disqualification plan in Docket No. 23-006 for Staci Hoyt and Paige Paxton, employees of the Department of Public Safety and Corrections, Office of Motor Vehicles. On motion made, seconded and unanimously passed, the Board approved the updated disqualification plan since it meets the requirements of the Ethics Code and the Rules for the Board of Ethics.

The Board considered an advisory opinion request in Docket No. 22-895 regarding whether Stephanie Cormane's family business, Cormane's Sewer Systems, LLC, may transact business with Northwestern State University while she is employed in the Accounting and

Reporting Department at Northwestern State University. On motion made, seconded and unanimously passed, the Board deferred the matter until the March 2023 meeting.

The Board considered an advisory opinion request in Docket No. 22-924 regarding whether the Code of Governmental Ethics prohibits the Village of Athens from contracting with Gracie Goodwin, the sister of newly elected Alderman Diane Sprigener, to provide part-time accounting services. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits Ms. Goodwin from providing accounting services for the Village of Athens while her sister serves as an Alderwoman for the Village.

The Board considered an advisory opinion request in Docket No. 22-929 regarding the post-employment restrictions in the Code of Governmental Ethics that apply to Marshall Hill after he retires from his employment with the Louisiana Department of Transportation and Development (DOTD). On motion made, seconded and unanimously passed, the Board concluded 1) With respect to transactions outside of DOTD District 5, neither Sections 1121(A) nor 1121(B) of the Code of Governmental Ethics prohibits Mr. Hill from assisting a prospective employer in transactions with DOTD on new and existing projects outside of District 5 in which he did not participate since the transactions do not involve his former agency, District 5, and he did not participate in the projects while employed at DOTD. 2) As to transactions within District 5, Section 1121(A) of the Code of Governmental Ethics prohibits Mr. Hill from assisting a person in a transaction involving District 5 for a period of two years following his retirement. Further, Section 1121(C) of the Code of Governmental Ethics prohibits Mr. Hill's prospective employer from assisting any person in a transaction involving District 5 if he participated in that transaction. 3) As to transactions involving the Kansas Lane Extension, Sections 1121(A) and (B) of the Code of Governmental Ethics prohibits Mr. Hill from assisting companies in

transactions involving District 5, for a period of two years following his retirement. Finally, Section 1121(C) of the Code of Governmental Ethics prohibits Mr. Hill's prospective employer from assisting another person in transactions with DOTD in the Kansas Lane Extension, since Mr. Hill participated in the project while he was employed at DOTD.

The Board considered an advisory opinion request in Docket No. 22-930 submitted on behalf of the City of Lake Charles regarding the continued participation of Gus William Schram III ("Mr. Schram") on the Planning Commission for the city. Chairwoman Roberts recused herself from the vote. On motion made, seconded and unanimously passed, the Board concluded the following:

1. Mr. Schram is permitted to present an application for subdivision and replat of his property to the City's Planning Department, provided he files written notice on the Board's form with the Planning Commission and with the Board no later than ten days prior to any hearing pertaining to any such application, or if no hearing is held pertaining to such application, file such notice at least ten days prior to final action on any such application.
2. If the proposed subdivision and replat is presented to the Planning Commission, Mr. Schram is not required to resign his position with the Planning Commission.
3. Mr. Schram must recuse himself from any vote related to such application and shall not participate in any debate or discussion amongst the Planning Commission involving the application.

The Board considered an advisory opinion request in Docket No. 22-931 from Maynard J. Sanders, Sr., former Executive Director of Plaquemines Port Harbor and Terminal District,

related to post-employment matters and formation of new business. On motion made, seconded and unanimously passed, the Board concluded that based on the facts presented, the Code of Governmental Ethics would not prohibit Maynard J. Sanders, Sr. or the Company from engaging in business in which the District is not involved and in matters in which Mr. Sanders did not participate in while employed by the District, provided that for a period of two years, the Code of Governmental Ethics would prohibit Mr. Sanders from assisting any other person in transactions with the District.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the January 5th and January 6th, 2023 meetings.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered an assessment of the enhanced penalty in Docket No. 21-970 pursuant to Section 1505.4A(4)(b) of the Campaign Finance Disclosure Act for Reddex Washington, Jr., candidate for Councilman, District 1, City of Alexandria, in the November 3, 2020 election, for his failure to file a 40-G supplemental campaign finance disclosure report. On motion made, seconded and unanimously passed, the Board instructed staff to assess an enhanced civil penalty of \$10,000 for failure to file the 2020 supplemental campaign finance disclosure report.

The Board considered a consent opinion in Docket No. 21-1046 regarding Carly Prestenbach, teacher at Youree Drive Middle School, and Larry Prestenbach and Larry P's Boiling Pot, LLC, related to prohibited contracts. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion for the respondents for a violation of Section 1113A of the Code of Governmental Ethics with no civil penalty.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered an assessment of the enhanced penalty in Docket No. 22-223 pursuant to Section 1505.4A(4)(b) of the Campaign Finance Disclosure Act for Corey Smith, candidate for Metro Council, District 6, East Baton Rouge Parish, in the November 3, 2020 election, for his failure to file a 10-G campaign finance disclosure report. On motion made, seconded and unanimously passed, the Board instructed staff to assess an enhanced civil penalty of \$10,000 for failure to file the 10-G campaign finance disclosure report.

David Bordelon presented to the Board for consideration a draft report in response to House Resolution 180 of the 2022 Regular Legislative Session regarding the use of cryptocurrency pursuant to the Campaign Finance Disclosure Act. In its capacity as the Supervisory Committee on Campaign Finance Disclosure, on motion made, seconded and unanimously passed, the Board adopted the draft with the change of switching option 1 as option 2 and expanded on the explanation.

The Board considered a Lobbying waiver request in Docket No. 22-866 for a \$50 late fee assessed against Steven Adam Ducote for the late filing of the September 2022 Lobbying Expenditure Report. On motion made, seconded and unanimously passed, the Board waived the late fee since this is his first late filing.

The Board unanimously agreed to take action on the requests for “good cause” waivers of late fees assessed against individuals contained in item 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 the items in G20 taking the following action:

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

Docket 22-607 Toby Jean Aguiard, 2019 Tier 2.1, 343 days late of a \$1,500 late fee;
Docket 22-765 Willie Ray Richardson, Sr., 2019 Tier 2.1, 3 days late of a \$150 late fee;
Docket 22-766 Lance S. Johnson, Amend 2019 Tier 2.1, 53 days late of a \$1,500 late fee;
Docket 22-767 Lee Arthur Jeter, Sr., Amend 2019 Tier 2.1, 6 days late of a \$300 late fee;
Docket 22-768 Mark Alan Pousson, Amend 2019 Tier 2.1, 5 days late of a \$250 late fee;
Docket 22-769 David Houston, Amend 2019 Tier 2.1, 41 days late of a \$1,500 late fee;
Docket 22-770 Valerie Gotch Garrett., 2019 Tier 2.1, 321 days late of a \$1,500 late fee;
Docket 22-771 Wade M. Thompson 2020 Tier 2.1, 67 days late of a \$1,500 late fee;
Docket 22-772 Brian J. Bordelon, Amend 2019 Tier 2.1, 89 days late of a \$1,500 late fee;
Docket 22-773 Steven Robert Cohan, 2019 Tier 2.1, 322 days late of a \$1,500 late fee;
Docket 22-774 Lucas Dale Stelly, 2020 Tier 2.1, 16 days late of a \$800 late fee;
Docket 22-775 Claudia Ann Cavallino, DDS, Amend 2019 Tier 2.1, 46 days late of a \$1,500 late fee;
Docket 22-777 Stephen T. Bond, Amend 2019 Tier 2.1, 11 days late of a \$550 late fee;
Docket 22-778 Dallas J. Bryan, 2020 Tier 2.1, 18 days late of a \$900 late fee;
Docket 22-780 Jennifer Gordan Lampton, Amend 2019 Tier 3, 194 days late of a \$1,500 late fee;
Docket 22-781 Barbara Joyce Buller, Amend 2019 Tier 2.1, 14 days late of a \$700 late fee;
Docket 22-782 Ryan Timothy Murphy, Amend 2019 Tier 2.1, 43 days late of a \$1,500 late fee;
Docket 22-783 Emma Lee Jones Austin, 2019 Tier 3, 273 days late of a \$1,500 late fee;
Docket 22-785 Larry L. Smith, Amend 2019 Tier 3, 84 days late of a \$500 late fee.
Docket 22-786 Carl Wayne Smith, 2020 Tier 3, 5 days late of a \$125 late fee;
Docket 22-787 Ronald Scott McLendon, 2020 Tier 3, 16 days late of a \$400 late fee;
Docket 22-788 Corey Michael Perrillieux, 2020 Tier 2, 165 days late of a \$2,500 late fee;
Docket 22-789 Nancy Genevieve Nadler-Thomas, 2019 Tier 2.1, 414 days late of a \$1,500 late fee; and,
Docket 22-790 Joel J Dugas, 2020 Tier 2, 112 days late of a \$2,500 late fee.

The Board declined to waive the late fees against the following:

Docket 22-607 Toby Jean Aguiard, Amended 2019, 6 days late of a \$300 late fee; and,
Docket 22-607 Toby Jean Aguiard, Amended 2020, 6 days late of a \$300 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 22-766 Lance S. Johnson, Amended 2020, 53 days late of a \$1,500 late fee.

The Board unanimously suspended all of the late fees but \$350 based on future compliance with the reporting requirements under the Code of Governmental Ethics and payable within 20 days against the following:

Docket No. 22784 Jerry Wayne Bell, 2019 Tier 3, 392 days late of a \$500 late fee.

The Board considered an untimely waiver request in Docket No. 22-779 submitted by Gary Lynn Giddens, Red River Parish School Board, District 3, regarding the \$1,500 late fee assessed for filing his 2019 Tier 3 Annual personal financial disclosure 414 days late. The Board unanimously agreed to consider the untimely waiver request. On motion made, seconded and unanimously passed, the Board suspended all based on future compliance with the reporting requirements under the Code of Governmental Ethics.

The Board unanimously agreed to take action on the requests for reconsideration waivers of late fees assessed against individuals 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 the reconsideration waiver request, taking the following action:

The Board considered a reconsideration in Docket No. 21-565 regarding its decision to decline to waive \$300 late fee assessed against Bridgett Bennett, Pearl River Board of Aldermen/St. Tammany Parish, for filing her 2019 Tier 3 Annual personal financial disclosure 6 days late. On motion made, seconded and unanimously passed, the Board suspended all based on future compliance with the reporting requirements under the Code of Governmental Ethics.

The Board considered a reconsideration in Docket No. 21-736 regarding its decision to decline to waive a \$1500 late fee assessed against David Weathersby, former member of the East Jefferson General Hospital Service District, for filing his 2019 Tier 2.1 Annual personal financial disclosure 118 days late. On motion made, seconded and unanimously passed, the Board suspended all based on future compliance with the reporting requirements under the Code of Governmental Ethics.

The Board considered a reconsideration in Docket No. 22-299 regarding its decision to decline to waive two \$2500 late fees issued to Charles Broussard, former member of the Acadia Parish Police Jury/District 3, for filing his 2018 Tier 2 Annual personal financial disclosure 491 days late and for filing his 2019 Tier 2 Annual personal financial disclosure 257 days late. On motion made, seconded and unanimously passed, the Board affirmed its decision to decline to waive and to offer a payment plan.

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

The Board considered a consent opinion in Docket No. 21-701 for Darryl and Tameka Ford relating to violation of Section 1119B of the Code of Governmental Ethics. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion for violation of Section 1119B of the Code of Governmental Ethics for the employment of Tameka Ford as Town Clerk for Town of Cullen while Darryl Ford served as Alderman for Town of Cullen with no civil penalty.

The Board considered a consent opinion in Docket No. 21-835 regarding Precious Phillips, a former employee of Caddo Parish Schools, and her receipt of funds from a school account. On motion made, seconded and unanimously passed, the Board deferred the matter.

The Board unanimously resolved into executive session at 10:05 a.m. to consider complaints and reports deemed confidential pursuant to Section 1141 of the Code of Governmental Ethics.

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EXECUTIVE SESSION

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The Board unanimously resolved into general business session at 10:10 a.m.

On motion made, seconded and unanimously passed, the Board adjourned at 10:11 a.m.

Secretary

APPROVED:

Chairwoman