

LOUISIANA BOARD OF ETHICS
MINUTES
September 8, 2023

The Board of Ethics met on September 8, 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, Couvillon, Grand, Grimley, Lavastida, Roberts and Speer present. Board Members Baños, Ellis, Colomb, and Scott 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 and Charles Reeves.

Board Member Colomb arrived at 9:08 a.m.

The Board considered a waiver request in Docket No. 22-718 regarding the \$2,800 campaign finance late fee assessed against NOLA Defenders for Equal Justice LLC, a political committee, and its committee's chairperson, Kendall P. Green, whose 10-G campaign finance disclosure report for the November 13, 2021 election was filed 14 days late. A letter was provided in place of an appearance. On motion made, seconded and unanimously passed, the Board reduced the \$2800 late fee to \$2000 based on Section 1205 of the Rules of the Board of Ethics.

The Board considered an untimely waiver request in Docket No. 23-192 submitted by Alton Joseph Broussard, a former member of the State of Louisiana Board of Barber Examiner, regarding a \$1500 late fee assessed for filing his 2019 Tier 2.1 annual personal financial disclosure 637 days late and regarding a \$1500 late fee assessed for filing his 2020 Tier 2.1 annual personal financial disclosure 336 days late. On motion made, seconded and unanimously passed, the Board deferred its decision until a future meeting.

Judge Mark John Shea, Municipal and Traffic Court Division D, Orleans Parish, appeared before the Board in Docket No. 23-282 regarding his request to waive the \$700 and \$1,300 campaign finance late fees assessed against him for the Special campaign finance disclosure reports that were filed 7 and 13 days late, respectively. In its capacity as the Supervisory Committee on Campaign Finance Disclosure and after hearing from Judge Shea, on motion made, seconded and unanimously passed, the Board declined to waive the two late fees.

Mr. Jay Huckabee, a member of the State Plumbing Board, and Ms. Crystal Carter, Executive Director of Plumbing-Heating-Cooling Contractors of Louisiana (“PHCCLA”), appeared before the Board in Docket No. 23-582 regarding an advisory opinion request on behalf of the PHCCLA and Mr. Huckabee as to the applicability of the post-employment restrictions. . On motion made, seconded and unanimously passed, the Board concluded that under these unique circumstances, the post-employment provisions of the Code of Governmental Ethics are not applicable to Mr. Huckabee.

The Board considered an advisory opinion request in Docket No. 23-614 from Veronica Arceneaux, Clerk for the Lafayette City Council and Lafayette Parish Council, regarding her possible purchase of remnant property from Lafayette Consolidated Government. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Ms. Arceneaux from entering into a purchase agreement with the Lafayette Mayor-President’s office to purchase the remnant property.

The Board considered a request for an advisory opinion in Docket No. 23-581 submitted by Alesia Ardoin, concerning whether the Code of Governmental Ethics would prohibit Thecla, LLC 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 deferred the matter until a future meeting.

The Board considered a reconsideration of its decision in Docket No. 22-905 to decline to waive a \$1,000 campaign finance late fee assessed against Billy Joe Williams, an unsuccessful candidate for Chief of Police, City of Winnsboro, Franklin Parish, in the March 26, 2022 election, whose 40-G campaign finance disclosure report was filed 33 days late. In its capacity as the Supervisory Committee on Campaign Finance Disclosure, on motion made, seconded and unanimously passed, the Board declined to waive the \$1,000 late fee.

Kim Segura Landry, an unsuccessful candidate for Justice of the Peace, 3rd Justice Court, Ascension Parish, in the November 13, 2021 election, appeared before the Board requesting a waiver in Docket No. 23-253 of the \$520 and \$1,000 campaign finance late fees assessed against her for the 10-G and 40-G campaign finance disclosure reports that were filed 13 and 76 days late, respectively. In its capacity as the Supervisory Committee on Campaign Finance Disclosure and after hearing from Ms. Landry, on motion made, seconded and unanimously passed, the Board declined to waive all late fees.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G6-G12 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-G12, excluding items G6, G9, G10 and G12, taking the following action:

The Board considered an advisory opinion request in Docket No. 23-522 from the City of Ponchatoula regarding a former member of the City Council owning the local newspaper. On

motion made, seconded and unanimously passed, the Board declined to render an opinion due to the fact that Ms. Gueldner provided updated information that she sold the newspaper and is no longer the owner.

The Board considered an advisory opinion request in Docket No. 23-646 submitted by Tenney Arrighi, concerning whether the Code of Governmental Ethics prohibits her from teaching Serv Safe food safety certification classes while employed by the Louisiana Department of Health - Office of Public Health ("OPH"). On motion made, seconded and unanimously passed, the Board concluded that based on the facts presented, the Code of Governmental Ethics does not prohibit Ms. Arrighi from teaching Serv Safe food safety certification classes while employed by OPH.

Chairwoman Roberts recused herself from consideration of Docket No. 23-520 and vacated the Chair. Board Member Lavastida assumed the Chair.

The Board considered an advisory opinion request in Docket No. 23-520 submitted by Dr. Shannon LaFargue, PhD of the Calcasieu Parish School Board ("CPSB") concerning whether various situations would be prohibited by the Code of Governmental Ethics. On motion made, seconded and unanimously passed, the Board concluded that based on the facts presented, the Code of Governmental Ethics dictates the following:

A. A coach or an entity in which the coach and/or his/her immediate family members have a monetary interest, wishes to lease/rent CPSB facilities for the purpose of engaging in for profit activities, such as a summer athletic camp. This lease/rental would be pursuant to CPSB requirements also applicable to those who are not CPSB employees. May a coach/entity:

1. Lease/rent facilities at the school at which the coach is employed.

No, because the lease/rental of school facilities remains under the supervision of the school.

2. Lease/rent facilities at schools other than that at which the coach is employed?

Yes, because the lease would not involve the coach's agency.

B. May a high school coach employed by the CPSB, or an entity in which his/her immediately family members have a monetary interest, conduct athletic training events for:

1. High school students who attend the coach's school;

No, because coaches who conduct athletic training events at their school would be receiving a thing of economic value for a service, where the subject matter is devoted substantially to the responsibilities and programs of his agency and in which the coach participated.

2. High school students who attend the coach's school and who have been or may in the future be taught/coached by the coach;

No, for the same reason set forth in the response to No. B.1.

3. K-8 grade student who were not taught/coached by the coach, but who may transition to a high school at which the coach teaches/coaches; or,

Yes, because this would not be a provision of services, in which the coach participated, although the subject matter is devoted substantially to the responsibilities, programs, and operations of the coach's agency.

4. Students who do not and will not attend the coach's school?

Yes, for the same reason set forth in the response to No. B.3.

C. A teacher or an entity in which the teacher or his/her immediate family members have a monetary interest wishes to lease/rent School Board facilities for the purpose of engaging in for profit activities such as after school tutoring. This lease/rental would be pursuant to Calcasieu Parish School Board requirements also applicable to those who are not Calcasieu Parish School Board employees. May the teacher entity:

1. Lease/rent facilities at the school at which the teacher is employed; or,

No, because the lease/rental involves the school at which the teachers teach, the lease/rental would be prohibited.

2. Lease/rent facilities at schools other than that at which the teacher is employed?

Yes, for the same reason set forth in the response to No. C.1.

D. May a teacher employed by the CPSB, or an entity in which his/her immediate family members have a monetary interest, provide tutoring services for:

1. Students who attend a teacher's school;

No, because teachers who tutor students who attend their school would be receiving a thing of economic value for a service, where the subject matter is devoted substantially to the responsibilities and programs of his agency and in which the coach participated.

2. Students who attend the teacher's school and who are, have been, or may in the future be taught by the teacher; or,

No for the same reason set forth in the response to No. D.1.

3. Students who do not and will not attend the teacher's school.

Yes, since this would not be a provision of services, in which the teacher participated, although the subject matter is devoted substantially to the responsibilities, programs, and operations of the agency.

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

The Board considered an advisory opinion request in Docket No. 23-615 from Rachel Haney, a former employee of Coastal Protection and Restoration Authority ("CPRA"), relating to post-employment restrictions. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics would prohibit Ms. Haney from assisting her current employer, HDR Engineering, Inc., in a transaction involving CPRA in which she participated while she was employed by CPRA.

The Board considered an advisory opinion request in Docket No. 23-631 submitted by F. Barry Marionneaux, concerning whether the Code of Governmental Ethics requires Bayou Lafourche Fresh Water District ("BLFWD") Board of Commissioner Ray Charles Mayet to recuse himself from votes concerning a potential contract with his employer, GIS Engineering, LLC ("GIS"). On motion made, seconded and unanimously passed, the Board concluded that based on the facts presented, the Code of Governmental Ethics prohibits Mr. Mayet from simultaneously maintaining his BLFWD position and employment with GIS, should GIS enter into, or seek to enter into, a contractual, business, or financial relationship with BLFWD.

Board Member Couvillon recused herself from voting on Docket No. 23-658.

The Board considered an advisory opinion request in Docket No. 23-658 from Pan American Engineers, LLC (“the “Company”) relating to post-employment restrictions for James Graham, the former Alexandria Superintendent of Water Operations and Waste Water Operations. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits the Company from employing Mr. Graham to provide services involving the City’s Water Department and Wastewater Department.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the August 3rd and August 4th, 2023 meetings.

The Board considered consent opinions in Docket No. 20-499 regarding Edward Calloway, the former Finance Director for G.B. Cooley Hospital Service District 1, Ouachita Parish., regarding violations of Sections 1111(A)(1)(a) and 1112(A) of the Code of Governmental Ethics. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion and dismissed the charges before the Ethics Adjudicatory Board.

The Board considered consent opinions in Docket No. 22-002 regarding Christopher J. Tyson approving and signing a contract to hire Marla Muse-Morris with Build Baton Rouge within two years following the termination of her employment with Build Baton Rouge. Ms. Muse-Morris signed the Consent Opinion admitting to a violation of R.S. 42:1121 and agreed to a civil penalty of \$35,781.25. Mr. Tyson signed the Consent Opinion admitting to a violation of R.S. 42:1117 and agreed to a \$1,000 civil penalty. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinions.

The Board considered a consent opinion in Docket No. 22-250 regarding Teri Durst, an employee of Youree Drive Middle School, transacting business with the school. Teri Durst signed a Consent Opinion agreeing to a violation of R.S. 42:1113A with a \$500 civil penalty. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion.

The Board considered a consent opinion in Docket No. 22-251 regarding Jenifer Guerrero approving the parent of a teacher at Youree Drive Middle School entering into transactions with the school. Ms. Guerrero signed the Consent Opinion admitting to a violation of R.S. 42:1117 and paid a civil penalty of \$3,000.00. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion.

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, excluding Docket No. 23-253, taking the following action:

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. 23-249 from Deborah Smith, 30-P of a \$800 late fee; and,
Docket No. 23-249 from Deborah Smith, 10-G of a \$240 late fee.

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. 23-293 from Ragen Borel, 10-G of a \$480 late fee;
Docket No. 23-488 from Roderick Hampton, 2022 SUPP of a \$720 late fee;
Docket No. 23-489 from Charles Henry Bradford, 10-P of a \$200 late fee;
Docket No. 23-616 from David “Big Dave” Pettit, 40-G of a \$320 late fee;
Docket No. 23-617 from Mindy Ashmore Slaughter, 10-P of a \$240 late fee; and,

Docket No. 23-618 from Jefferson Federation of Teachers Committee on Political Education, 30-P of a \$3000 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board unanimously reduced to \$400 based 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. 23-617 from Mindy Ashmore Slaughter, 10-G of a \$600 late fee.

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 items in G19, excluding Docket No. 23-596, taking the following action:

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

Docket 23-246 John Edwards “Johnnie” Jordan, Amend 2020 Tier 2, 350 days late of a \$2500 late fee;
Docket 23-259 Dennis Switzer, 2020 Tier 2.1, 420 days late of a \$1500 late fee;
Docket 23-356 Quintin Darnell Taylor, 2020 Tier 2.1, 56 days late of a \$1500 late fee;
Docket 23-356 Quintin Darnell Taylor, 2021 Tier 2.1, 56 days late of a \$1500 late fee;
Docket 23-557 Crystal Harper White, 2021 Tier 2.1, 9 days late of a \$450 late fee;
Docket 23-593 Deborah T. Bennett, 2021 Tier 3, 99 days late of a \$500 late fee;
Docket 23-620 Lasonya Moore, Amend 2020 Tier 2.1, 174 days late of a \$1500 late fee;
Docket 23-620 Lasonya Moore, Amend 2021 Tier 2.1, 174 days late of a \$1500 late fee;
Docket 23-621 Fa’Ron “Fee” K. Edward Richard, Amend 2022 Tier 2, 106 days late of a \$2500 late fee; and,
Docket 23-622 Debbie M. Bottley, Amend 2020 Tier 3, 6 days late of a \$150 late fee.

The Board unanimously waived all of the personal financial disclosure late fees for the following:

Docket 23-592 Lewis Casey Messenger, Amend 2020 Tier 2.1, 75 days late of a \$1500 late fee.

The Board unanimously suspended all of the personal financial disclosure late fees based on future compliance for the following:

Docket 23-594 Maria C. Guilott, 2020 Tier 2.1, 446 days late of a \$1500 late fee; and,
Docket 23-602 Eric E. Jarrell, 2020 Tier 2.1, 275 days late of a \$1500 late fee.

The Board considered a waiver request in Docket No. 23-596 submitted by Douglas K Williams, former member of the Louisiana Trucking Research and Education Council, regarding a \$1500 late fee assessed for filing his 2020 Tier 2.1 annual personal financial disclosure 384 days late. On motion made, seconded and unanimously passed, the Board deferred the matter until next month.

The Board considered a hospital disclosure waiver request in Docket No. 23-550 submitted by Rowena Cherie Russell Lipsey, Board Member of Concordia Parish Hospital Service District, regarding a \$450 late fee assessed for filing her 2023 Hospital Disclosure 9 days late. On motion made, seconded and unanimously passed, the Board suspended all of the late fee based on future compliance with the Code of Governmental Ethics.

The Board considered a hospital disclosure waiver request in Docket No. 23-551 submitted by Brenda K. Goode, Pointe Coupee Hospital Service District No.1, regarding a \$1500 late fee assessed for filing her 2023 Hospital Disclosure 109 days late. On motion made, seconded and unanimously passed, the Board declined to waive the late fee.

The Board unanimously agreed to take action on the untimely waiver requests of personal financial disclosure late fees assessed against individuals contained in item 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 in G21, excluding Docket No. 22-623 and 23-560, taking the following action:

The Board unanimously agreed to decline to consider the following untimely waiver requests:

Docket 23-559 Michael Aubrey Calloway, Jr., 2019 Tier 2.1, 777 days late of a \$1500 late fee; and,

Docket 23-595 Audrey Joy Pace, 2020 Tier 2.1, 80 days late of a \$1500 late fee.

Chairwoman Roberts recused herself from consideration of Docket No. 22-623 and vacated the Chair. Board Member Lavastida assumed the Chair.

On motion made, seconded and unanimously passed, the Board considered an untimely waiver request in Docket No. 22-623 regarding the Board's suspension of all but \$1,250 of a \$2,500 late fee submitted by Kevin Dale Guidry, Calcasieu Parish Police Jury / District 9, for filing his 2019 Tier 2 annual personal financial disclosure. On motion made, seconded and unanimously passed, the Board confirmed the prior decision to suspend all but \$1250 based on future compliance with the Code of Governmental Ethics. The \$1250 is payable within 20 days and if payment is not received within 20 days, the full amount of the late fee becomes due and owing.

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

On motion made, seconded and unanimously passed, the Board considered an untimely waiver request in Docket No. 23-560 submitted by Jimmie Joseph Pellerin, a former member of the Acadia Parish Police Jury / District 5, regarding a \$2500 late fee assessed for failing to file his 2020 Tier 2 annual personal financial disclosure. On motion made, seconded and unanimously passed, the Board waived all late fees and waived the requirement to file missing personal financial disclosure since Mr. Pellerin is deceased.

The Board considered a reconsideration waiver request in Docket No. 22-968 regarding its decision to suspend all but \$200 of a \$400 late fee submitted by Mia Liki (Dunn) Jones, Franklin Parish School Board, for filing her 2021 School Board Disclosures 377 days late. On motion made, seconded and unanimously passed, the Board affirmed the prior decision to suspend all but \$200 based on future compliance.

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

The Board considered a consent opinion in Docket No. 22-434 for Scott Hearne, Frederick Williams and Michael Roberts, members of the Louisiana State Board of Home Inspectors ("LSBHI"), related to violations of Sections 1111C(2)(d) and 1113 of the Code of Governmental Ethics. Messrs. Hearne, and Williams signed a consent opinion for violation of Section 1111C(2)(d) of the Code of Governmental Ethics and paid the \$1,000 civil penalties. Mr. Roberts signed a consent opinion for violation of Sections 1111C(2)(d) and 1113B and paid the \$1,500 civil penalty. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion.

Kathleen Allen mentioned that this is Attorney LaToya Jordan's last day at the Board of Ethics and she thanked Ms. Jordan for her service to the agency

Kathleen Allen thanked all staff present: Jonquil Barber, Angel Dominique, Angela Newsom and Ashley Wimberley. These staff members did a great job working the qualifying list negating the need of the agency to file 11 lawsuits.

Chairwoman Roberts recognized Latoya Jordan and also thanked all staff for their service.

On motion made, seconded and unanimously passed, the Board adjourned at 10:27 a.m.

Secretary

APPROVED:

Chairwoman