STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
**LOUISIANA BOARD OF ETHICS**
P. O. BOX 4368
BATON ROUGE, LA 70821
(225) 219-5600
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1-800-842-6630
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December 4, 2019

**VIA SHAREPOINT**

The Division of Administrative Law
1020 Florida Street
Baton Rouge, LA 70802

RE: *In the Matter of Melissa Guitreau*
Agency Tracking No.: 2018-1404

Dear Ms. Duhon:

Please file the attached *Charges* in the referenced matter and return a date-stamped copy of same to the Louisiana Board of Ethics.

If you have any questions, please do not hesitate to contact me at 225-219-5619, and thank you.

Kindest regards,

LOUISIANA BOARD OF ETHICS

Elizabeth Barrouquere

Elizabeth Barrouquere
Staff Paralegal

Enclosures
cc: Melissa Guitreau
P.O. Box 520
French Settlement, LA 70733-0520
*Via Certified Mail No. 7018 0360 0000 7669 0539*

**STATE OF LOUISIANA**
**DIVISION OF ADMINISTRATIVE LAW**

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| **LOUISIANA BOARD OF ETHICS** | * | **DOCKET NO.** |
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| **IN THE MATTER OF** | * | |
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| **MELISSA GUITREAU** | * | **AGENCY TRACKING NO. 2018-1404** |

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## CHARGES

The Louisiana Board of Ethics voted on November 14, 2019, to and does hereby file the following charges:

**1.**

Melissa Guitreau was hired by the Livingston Parish Fire Protection District No. 8 (hereinafter referred to as "Fire District") beginning February 2017 and was employed as the Secretary/Treasurer earning $200.00 per month on a part-time basis.

**2.**

Melissa Guitreau's employment with the Fire District was terminated on January 31, 2019.

**3.**

As the Secretary/Treasurer, Melissa Guitreau was responsible for general bookkeeping and writing checks, however she was not authorized to sign checks for the Fire District.

**4.**

Between May 30, 2017 and September 14, 2018, Melissa Guitreau in her capacity as Secretary/Treasurer for the Fire District, wrote thirty-eight (38) checks on the account of the Fire

District in the amount of $300,902.00, made payable to Guitreau Heat and Air, a company wholly owned by Melissa Guitreau and her husband, Alan Guitreau. The checks were negotiated by Melissa Guitreau and deposited into an account belonging to Guitreau Heat and Air.

**5.**

Between December 5, 2017 and March 5, 2018, Melissa Guitreau in her capacity as Secretary/Treasurer of the Fire District, wrote six (6) checks on the account of the Fire District in the amount of $27,194.24, made payable to Alan Guitreau. The checks were negotiated by Melissa Guitreau and deposited into a personal bank account jointly belonging to both Melissa Guitreau and Alan Guitreau.

**6.**

Between January 16, 2018 and January 19, 2018, Melissa Guitreau in her capacity as Secretary/Treasurer of the Fire District, wrote two (2) checks on the account of the Fire District in the amount of $3,200.00, made payable to Melissa Guitreau. The checks were negotiated by Melissa Guitreau and deposited into a personal bank account jointly belonging to both Melissa Guitreau and Alan Guitreau.

**7.**

Melissa Guitreau received money to which she was not duly entitled for the performance of her duties and responsibilities as a Secretary/Treasurer at the Fire District.

**8.**

Melissa Guitreau was interviewed by the Livingston Parish Sheriff's Office on January 31, 2019, whereby she admitted to her involvement relative to the improper transfer and receipt of money from the Fire District to herself and her company in the amount of $3,200.00, $27,194.24 and $300,902.00 to which she was not duly entitled to receive for the performance of

her job duties and responsibilities as Secretary/Treasurer. She also admitted to her participation in the transfer of money from the Fire District to her company in which her husband, Alan Guitreau, had a substantial economic interest in the amount of $27,194.24 and her company, Guitreau Heat and Air, which had a substantial economic interest in the amount of $300,902.00. She also admitted her participation in the transfer of money from the Fire District to herself in the amount of $3,200.00 in which she had a substantial economic interest.

**9.**

La. R.S. 42:1111A(1)(a) provides:

> No public servant shall receive anything of economic value, other than compensation and benefits from the governmental entity to which he is duly entitled, for the performance of the duties and responsibilities of his office or position.

**10.**

La. R.S. 42:1112A provides:

> No public servant, except as provided in R.S. 42:1120, shall participate in a transaction in which he has a personal substantial economic interest of which he may be reasonably expected to know involving the governmental entity.

**11.**

La. R.S. 42:1112B(1) provides:

> No public servant, except as provided in R.S. 42:1120, shall participate in a transaction involving the governmental entity in which, to his actual knowledge, any of the following persons has a substantial economic interest:
> (1) Any member of his immediate family.

**12.**

La. R.S. 42:1112B(3) provides:

> No public servant, except as provided in R.S. 42:1120, shall participate in a transaction involving the governmental entity in which, to his actual knowledge, any of the following persons has a substantial economic interest:

(3) Any person of which he is an officer, director, trustee, partner, or employee.

**13.**

Based on the foregoing facts, Melissa Guitreau, while serving as the Secretary/Treasurer for the Fire District, violated La. R.S. 42:1111A(1)(a) for receiving a thing of economic value other than compensation and benefits for the performance of the duties and responsibilities of her office or position, when she negotiated checks to herself and her company she had written on the account of the Fire District.

**14.**

Based on the foregoing facts, Melissa Guitreau, in her capacity as the Secretary/Treasurer for the Fire District, violated La. R.S. 42:1112A for participating in transactions in which she had a personal substantial economic interest of which she reasonably expected to know involving the Fire District, when she wrote and negotiated checks to herself and her company from the account of Fire District which she was not duly entitled to receive.

**15.**

Based on the foregoing facts, Melissa Guitreau, in her capacity as the Secretary/Treasurer for the Fire District, violated La. R.S. 42:1112B(1) for participating in transactions in which her husband, Alan Guitreau, had a personal substantial economic interest of which she had actual knowledge involving the Fire District, when she wrote and negotiated checks to their wholly owned company from the account of the Fire District, which he was not duly entitled to receive.

**16.**

Based on the foregoing facts, Melissa Guitreau, in her capacity as the Secretary/Treasurer for the Fire District, violated La. R.S. 42:1112B(3) for participating in transactions in which her

company, Guitreau Heat and Air had a substantial economic interest of which she had actual knowledge involving the Fire District, when she wrote and negotiated checks to the company from the account of the Fire District, which it was not duly entitled to receive.

**17.**

In accordance with La. R.S. 42:1141C(3)(b)(iv), the Board designates Gregory L. Thibodeaux and Tracy Barker as the Board's trial attorneys in this matter.

**WHEREFORE**, the Louisiana Board of Ethics requests that the Ethics Adjudicatory Board (a) conduct a hearing on the foregoing charges; (b) determine that Melissa Guitreau violated La. R.S. 42:1111A(1)(a); (c) determine that Melissa Guitreau violated La. R.S. 42:1112A; (d) determine that Melissa Guitreau violated La. R.S. 42:1112B(1); (e) determine that Melissa Guitreau violated La. R.S. 42:1112B(3); and (f) assess appropriate penalties in accordance with the recommendation of the Louisiana Board of Ethics to be submitted at the hearing.

Robert V. McAnelly
Chairman, Louisiana Board of Ethics
P.O. Box 4368
Baton Rouge, LA 70821
Telephone: (225) 219-5600
Facsimile: (225) 381-7271

**CERTIFICATE:**

I hereby certify that a copy of this document has been forwarded to the Respondent via registered/certified mail, and to the attorney of record via electronic mail, on this 4th day of December, 2019.

**RESPONDENT:** Melissa Guitreau
Post Office Box 520
French Settlement, LA 70733-0520

Gregory L. Thibodeaux
Trial Attorney