

LOUISIANA BOARD OF ETHICS
MINUTES
April 5, 2024

The Board of Ethics met on April 5, 2024 at 9:02 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 Baños, Bryant, Couvillon, Ellis, Grand, Grimley, Lavastida, Roberts and Scott present. Board Members Colomb and Speer were absent. Also present were the Ethics Administrator, Kathleen Allen; the Executive Secretary, Carolyn Abadie Landry; and Counsel Tracy Barker, David Bordelon, Mallory Guillot, Jessica Meiners, and Charles Reeves.

Board Member Colomb arrived at 9:03 a.m.

Samuel Pearce III, successful candidate for Police Juror, District 8, Avoyelles Parish in the October 14, 2023 election, appeared before the Board in Docket No. 24-032 regarding his request that the Board waive the \$1,000, \$520 and \$240 campaign finance late fees (\$1,760 total) assessed against Mr. Pearce whose 30-P, 10-P and 10-G campaign finance disclosure reports were filed 61, 13 and 6 days late, respectively. In its capacity as the Supervisory Committee on Campaign Finance Disclosure and after hearing from Mr. Pearce, on motion made, seconded and unanimously passed, the Board suspended all but \$500, \$250 and \$100, respectively, based on future compliance with the Campaign Finance Disclosure Act.

Albert Nicaud and his client, Tommy Cvitanovich, who is an appointed member of the Louisiana Stadium and Exposition District (“LSED”), appeared before the Board in Docket No. 24-136 regarding an advisory opinion request in connection with donations to the Zurich Classic held at the TPC Louisiana Golf Course. After hearing from Mr. Nicaud and Mr. Cvitanovich, on motion made, seconded and unanimously passed the Board adopted the advisory opinion concluding the Code of Governmental Ethics does not prohibit Mr. Cvitanovich or his company

from receiving reimbursements of food or sponsor gifts for events at the Zurich Classic since Fore!Kids Foundation, Louisiana Hospitality Foundation, and Zurich Insurance do not have a contractual, business, or financial relationship with LSED.

Jason Andres, Felicia Sonnier and Mace Bourgeois on behalf of Fire & Safety Commodities appeared before the Board in Docket No. 24-162 regarding an advisory opinion request in connection with the continuation of a contract with the State of Louisiana while Mr. Bourgeois' wife, Susan Bourgeois, serves as the Secretary for the Department of Economic Development. On motion made, seconded and passed by a vote of 9 yeas by Board Members Baños, Bryant, Colomb, Couvillon, Ellis, Grand, Lavastida, Roberts and Scott and 1 nay by Board Member Grimley, the Board concluded that Section 1113D of the Code of Governmental Ethics does not prohibit the continuation of the contract provided the required disclosures are filed. The Board instructed staff to draft an advisory opinion for its consideration at the May meeting.

Daniel Loftin and Representative Larry Bagley appeared before the Board in Docket No. 24-192 regarding an advisory opinion request on whether the Code of Governmental Ethics permits Mr. Loftin's business, Famous Flowers and Gifts, to do business with Stanley High School and Logansport High School while his wife is employed by Stanley High School and his sister is employed by Logansport High School. After hearing from Representative Bagley and Mr. Loftin, on motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits Famous Flowers and Gifts from doing business with Stanley High School and Logansport High School.

Board Member Grimley recused himself from voting on Docket Nos. 24-035 and 23-973. Jeffry Lamonte Sanford, an unsuccessful candidate for Sheriff, East Baton Rouge Parish,

in the October 14, 2023 election, appeared before the Board in Docket No. 24-035 regarding a request to ask the Board to waive the three \$2,500 campaign finance late fees (\$7,500 total) assessed against him for his failure to file 30-P, 10-P and 10-G campaign finance disclosure reports were not filed. In its capacity as the Supervisory Committee on Campaign Finance Disclosure and after hearing from Mr. Sanford, on motion made, seconded and unanimously passed, the Board declined to waive the campaign finance late fees.

Jeffry Lamonte Sanford, an unsuccessful candidate for Sheriff, East Baton Rouge Parish, in the October 14, 2023 election, appeared before the Board in Docket No. 23-973 regarding a request to waive the \$2,500 late fee assessed against him for failing to file his 2022 Tier 2 Candidate personal financial disclosure. After hearing from Mr. Sanford, on motion made, seconded and unanimously passed, the Board declined to waive the late fee.

Julie B. Distefano appeared before the Board in Docket No. 24-213 regarding an advisory opinion request on attorney ethics. After hearing from Ms. Distefano, on motion made, seconded and unanimously passed, the Board declined to render an opinion since it does not have the authority to opine on matters involving the Rules of Professional Conduct for attorneys in Louisiana.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G4-G37 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 G4-G37, excluding items G7, G12, G19 and G31 taking the following action:

The Board considered an advisory opinion request in Docket No. 23-879 regarding whether the Code of Governmental Ethics permits Benjamin Walker to write active shooter response plans and conduct training for Louisiana parishes while still employed with the Terrebonne Parish Office of Homeland Security and Emergency Preparedness. On motion made, seconded and unanimously passed, the Board declined to render an opinion due to insufficient information.

The Board considered an advisory opinion request in Docket No. 23-937 regarding the post-employment restrictions for Vivek Shah, a New Orleans Regional Transit Authority employee. On motion made, seconded and unanimously passed, the Board declined to render an opinion due to insufficient information.

The Board considered an advisory opinion request in Docket No. 23-968 regarding whether the Code of Governmental Ethics permits BCB Architects LLC to contract with the West Baton Rouge School Board while Matthew Daigrepont serves as a member of the West Baton Rouge School Board. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit BCB Architects, LLC from bidding on or entering into any contract, subcontract, or other transaction with the West Baton Rouge Parish School Board while Matthew Daigrepont serves as a School Board member, but Mr. Daigrepont is required to recuse himself from voting on any matter that may come before the School Board involving Bradley Guerin and BCB Architects, LLC.

The Board considered an advisory opinion request in Docket No. 23-1083 on behalf of the City of Opelousas as to a possible consulting contract with former City Treasurer Stephen Woods. On motion made, seconded and unanimously passed, the Board concluded that Section 1121B of the Code of Governmental Ethics prohibits Mr. Woods from rendering budget

preparation services on a contractual basis back to the City within two years of terminating his employment.

The Board considered an advisory opinion request in Docket No. 24-004 regarding whether the Code of Governmental Ethics permits the appointment of Brian Brown to the Cameron Parish Waterworks District No. 2 (“Waterworks District”) while his father’s store provides services to the Waterworks District. On motion made, seconded and unanimously passed, the Board concluded that Section 1113B of the Code of Governmental Ethics prohibits Brian Brown’s father and Brown’s Grocery Store from selling gas or grocery items to or for the Waterworks District if Mr. Brown is appointed as a member of the Waterworks District.

The Board considered an advisory opinion request in Docket No. 24-005 from Mary Silman on behalf of Lafayette Consolidated Government Community Development and Planning Department (“CDP”), as to whether the CDP may allocate federal grant money to a non-profit organization which has employees of Lafayette Consolidated Government (“LCG”) as its officers. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit the organization from applying for and receiving grant money from the CPD.

The Board considered an advisory opinion request in Docket No. 24-009 from Coley Johnson, former employer of the Department of Transportation and Development (“DOTD”) Office of Operations, within the Intelligent Transportation Systems Section (‘Section 56 ITS’), regarding post-employment restrictions. On motion made, seconded and unanimously passed, the Board concluded that Section 1121B of the Code of Governmental Ethics does not prohibit Mr. Johnson from contracting with Section 56 ITS to install fiber boxes within two years of his retirement from DOTD.

The Board considered an advisory opinion request in Docket No. 24-023 from The Villavaso Group LLC regarding the hiring of an appointed member of the Lincoln Beach Community Advisory Committee to work on a subcontract for the City of New Orleans. On motion made, seconded and unanimously passed, the Board concluded that Section 1111E(1) of the Code of Governmental Ethics prohibits members of the Lincoln Beach Committee from receiving anything of economic value for assisting any person in a transaction, or in an appearance in connection with a transaction, involving the Lincoln Beach Committee. Since the sub consultant contract with The Villavaso Group LLC would involve the Lincoln Beach Redevelopment Master Plan, which is under the supervision or jurisdiction of the Lincoln Beach Committee, members of the Lincoln Beach Committee are prohibited by Section 1111E(1) of the Code of Governmental Ethics from receiving any compensation for assisting The Villavaso Group LLC. As a result of the prohibition in Section 1111E(1) of the Code of Governmental Ethics, The Villavaso Group LLC is prohibited by Section 1117 of the Code of Governmental Ethics from entering into any sub consultant agreement with a member of the Lincoln Beach Committee regarding the Lincoln Beach Redevelopment Master Plan.

The Board considered an advisory opinion request in Docket No. 24-044 from Antonette Cannon, an employee of the Calcasieu Parish School Board (“CPSB”), regarding her providing dyslexia evaluations to private school students. On motion made, seconded and unanimously passed, the Board concluded that Section 1111C(1)(a) of the Code of Governmental Ethics does not prohibit Antonette Cannon from performing dyslexia evaluations for private school students, since dyslexia evaluations are not provided by CPSB Pupil Appraisal Department and Ms. Cannon did not participate in dyslexia evaluations as an employee of CPSB.

The Board considered an advisory opinion request in Docket No. 24-045 from Deon Boudreaux, Chief of Police for the Town of Port Barre, regarding his nephew working as an unpaid intern for the Police Department. On motion made, seconded and unanimously passed, the Board concluded that Mr. Boudreaux's nephew, Leon Boudreaux, is not an immediate family member for purposes of the Code of Governmental Ethics; therefore, Leon Boudreaux is not prohibited from being employed as an intern with the Port Barre Police Department while Deon Boudreaux serves as Chief of Police.

The Board considered an advisory opinion request in Docket No. 24-046 from Amelia Pellegrin, a former employee of the Port of New Orleans, regarding her providing contracted assistance on a contractual basis to the Port. On motion made, seconded and unanimously passed, the Board concluded that Section 1121B prohibits Ms. Pellegrin, for a period of two years following the termination of her employment with the Port, from contracting with the Port to render the same services as those services she provided while employed by the Port. Since it has been more than two years since her employment with the Port, the Board concluded that the Code of Governmental Ethics does not prohibit Ms. Pellegrin from contracting with the Port to provide services on the Strategic Master Plan.

The Board considered an advisory opinion request in Docket No. 24-047 from Clarence Copeland, Executive Director of the Louisiana Educational Television Authority ("LETA"), regarding the possible employment of Shauna Sanford, a former employee of the Office of the Governor. On motion made, seconded and unanimously passed, the Board concluded that pursuant to the express language in R.S. 17:2503, Governor John Bel Edwards and his designee were members of the LETA Board. Since Shauna Sanford served as Governor Edwards's designee at meetings from June 14, 2022, until her last meeting on December 18, 2023, the

Board concluded that Section 1121A(2) of the Code of Governmental Ethics prohibits Shauna Sanford from being employed by LETA for a period of two years from the date of her last service as Governor Edwards's designee on the LETA Board.

The Board considered an advisory opinion request in Docket No. 24-049 regarding participation issues surrounding an application for rezoning in Jennings from a business that employed the son of Jennings City Councilman, William Armentor. On motion made, seconded and unanimously passed, the Board declined to render an opinion due to past conduct and instructed staff to send general information regarding Section 1112 of the Code of Governmental Ethics to the requestor.

The Board considered an advisory opinion request in Docket No. 24-054 regarding whether the Code of Governmental Ethics permits Tonya Wiltz to sell insurance policies to public employees while also serving as an employee of the Louisiana Department of Education. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Ms. Wiltz from selling insurance policies to public employees outside of working hours, provided that she does not enter into any transaction under the jurisdiction or supervision of the Department of Education and provided that Horace Mann does not have, or does not seek to obtain a contractual, financial, or other business relationship with the Department of Education.

The Board considered an advisory opinion request in Docket No. 24-055 from Becky Toups, Director of Lafourche Parish Recreation District No. 1 regarding dual office holding. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Ms. Toups from serving as a member of the board of Lafourche Parish Recreation District No. 8 while also serving as the director of Lafourche Parish

Recreation District No. 1, as long as she is not providing the services of both of these positions during the same compensated period. The Board instructed staff to direct Ms. Toups to the Attorney General's Office for application and interpretation of the Dual Officeholding and Dual Employment Laws since it is not under the jurisdiction of the Board of Ethics.

The Board considered an advisory opinion request in Docket No. 23-946 regarding the Anthony Amoroso, the son of East Baton Rouge Metro Councilwoman, Denise Amoroso, working for the St. George Fire Department. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Mr. Amoroso's employment with the St. George Fire District while his mother serves as an elected member of the Metro Council, which is the governing authority for the City of Baton Rouge/Parish East Baton Rouge since St. George Fire District is a separate political subdivision from the City of Baton Rouge/Parish East Baton Rouge.

The Board considered an advisory opinion request in Docket No. 24-022 from Warren Kron, former employee of Baton Rouge City-Parish Government, related to post employment restrictions. On motion made, seconded and unanimously passed, the Board concluded that based on the fact presented, the Code of Governmental Ethics does not prohibit Mr. Kron from being employed by Environmental Science Services, Inc. to provide services under the contract with the U.S. Army Corps of Engineers.

The Board considered an advisory opinion request in Docket No. 24-072 from Edward V. Lepre, Chief of Harahan Police Department ("HPD"), regarding his ownership and operation of a private business. On motion made, seconded and unanimously passed, the Board concluded based on the facts presented that Chief Lepre may own and operate a company provided the company does not enter into any transactions with, or under the supervision or jurisdiction of, the

HPD and b) the company does not receive compensation from persons who have, or are seeking to have, contractual business or financial relationships with the HPD.

The Board considered an advisory opinion request in Docket No. 24-073 from Benjamin Clay, an elected member of the St. Martin Parish Council, regarding his employment with Electronic Protection Systems LLC (“EPS”). On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit EPS from bidding on or entering into a contract with the St. Martin Parish Council. The Code of Governmental Ethics requires Mr. Clay to recuse himself from voting on any matter that may come before the St. Martin Parish Council in which EPS has a substantial economic interest. However, if EPS bids on or enters into a contractual, business, or financial relationship with St. Martin Parish, the Code of Governmental Ethics prohibits Mr. Clay’s receipt of compensation from EPS and prohibits EPS from paying any such prohibited compensation to Mr. Clay.

The Board considered an advisory opinion request in Docket No. 24-087 from Francis G. Keller Sr. regarding his continued receipt of waste tires from the Avoyelles Parish Police Jury if he is appointed to the Planning Commission by the Police Jury. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Mr. Keller or his company, 4 K Farm & Trucking LLC, from continuing to receive waste tires from the Avoyelles Parish Police Jury if he is appointed to the Planning Commission by the Police Jury.

The Board considered an advisory opinion request in Docket No. 24-088 from Representative Michael Melerine, State Representative, 6th District, relating to service his on a non-profit board. On motion made, seconded and unanimously passed, the Board concluded that based on the facts presented, Representative Melerine is not prohibited from serving on the

Independence Bowl Foundation, and he is not prohibited from participating in matters in which the Foundation has a substantial economic interest.

The Board considered an advisory opinion request in Docket No. 24-094 regarding the appointment of the Cameron Parish Coroner to the Lower Cameron Hospital Board by the Cameron Parish Police Jury. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit the appointment of Dr. Kevin Dupke, the elected Cameron Parish Coroner, to the Lower Cameron Hospital Board by the Cameron Parish Police Jury. The Board instructed staff to direct the coroner to the Attorney General's Office since the Louisiana Dual Office-Holding laws are under their jurisdiction.

The Board considered an advisory opinion request in Docket No. 24-095 regarding whether the Code of Governmental Ethics permits Darrell Moore to provide engineering services to the Louisiana Department of Transportation and Development (“DOTD”) after his retirement from DOTD. On motion made, seconded and unanimously passed, the Board concluded that for a period of two years following Mr. Moore’s retirement, he is prohibited from participating in any project that he participated in during his employment with DOTD and he is prohibited from providing any service, on a contractual basis, to the Road Design Section of DOTD that he previously provided services during his employment with the Road Design Section of DOTD.

The Board considered an advisory opinion request in Docket No. 24-096 from Sandra Walker, an employee of the Monroe Police Department, regarding the donation of items by a reserve officer. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Mr. Raja Abas from donating a Keurig coffee maker and an air fryer to the Monroe Police Department while he serves as a reserve officer.

The Board considered a proposed disqualification plan in Docket No. 24-107 from Sid. J. Gautreaux, on behalf of the East Baton Rouge Parish Sheriff's Office, relating to the employment of Major Frederick Thomas and his son, Sgt. Travis Thomas. On motion made, seconded and unanimously passed, the Board approved the proposed disqualification plan since it meets the requirements of the Board's Rules pursuant to Louisiana Administrative Code Title 52, Chapter 14, Section 1402.

The Board considered an advisory opinion request in Docket No. 24-108 regarding Frank Henchy, an employee of the City Parish of East Baton Rouge, Information Services Department, receiving a meal voucher from a vendor to attend a virtual lunch and learn. On motion made, seconded and unanimously passed, the Board declined to render an opinion due to past conduct.

The Board considered an advisory opinion request in Docket No. 24-117 regarding whether the Code of Governmental Ethics permits members of the Louisiana State Board of Examiners for Sanitarians ("LSBES") to receive payment for services to handle the administrative duties of LSBES. On motion made, seconded and unanimously passed, the Board concluded that Section 1113B of the Code of Governmental Ethics prohibits an appointed LSBES member from entering into any contract, subcontract, or other transaction which is under the supervision or jurisdiction of LSBES; therefore, a member of LSBES cannot be paid to render administrative services for LSBES. The Code of Governmental Ethics does not prohibit LSBES from paying an individual who is not a member of LSBES for providing administrative services and does not provide any requirements or prohibitions on the payment amount made to such individual.

The Board considered an advisory opinion request in Docket No. 24-118 from Angela Washington, an employee of the Louisiana Department of Education, regarding outside

employment restrictions. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Ms. Washington and Jade Business Solutions LLC from providing services that are unrelated to those she provides as Director of Statewide Monitoring to any individual or legal entity that is not a prohibited source of compensation due to its relationship with Statewide Monitoring Office.

The Board considered an advisory opinion request in Docket No. 24-128 from Alison F. Saunders, a former employee of the Louisiana Office of Cultural Development, involving post-employment restrictions. On motion made, seconded and unanimously passed, the Board concluded that the post-employment prohibitions contained in Section 1121B(1) of the Code of Governmental Ethics apply until October 28, 2024, which is two years from the date she terminated her public employment with the Louisiana Office of Cultural Development.

The Board considered an advisory opinion request in Docket No. 24-135 from Dr. Dana R. Hunter, former employee of the Governor's Office of Programs and Planning, regarding the post-employment restrictions and her potential employment with Louisiana Alliance for Children's Advocacy Centers ("LACAC"). On motion made, seconded and unanimously passed, the Board concluded that Section 1121B of the Code of Governmental Ethics prohibits Dr. Hunter, for a period of two years following her resignation from the Governor's Office, from assisting LACAC for compensation in any transactions involving the State of Louisiana if she participated in those specific transactions. Dr. Hunter is not prohibited from assisting LACAC in new transactions or in transactions in which she did not participate while employed in the Governor's Office. Further, Section 1121B of the Code of Governmental Ethics prohibits Dr. Hunter, for the same two-year period, from rendering the same services on a contractual basis to LACAC if those services are rendered to, for, or on behalf of her former agency, the Office of

Programs and Planning. However, the Code of Governmental Ethics does not prohibit Dr. Hunter from rendering services to other state agencies. Finally, in the event Dr. Hunter is hired as an employee of LACAC, Section 1121C of the Code of Governmental Ethics prohibits LACAC from assisting persons in transactions in which Dr. Hunter participated involving the Governor's Office of Programs and Planning. However, LACAC is not prohibited from assisting the Department of Children and Family Services ("DCFS"), as DCFS is not a person for purposes of the Code of Governmental Ethics.

Board Member Scott left the meeting at 10:40 a.m.

The Board considered an advisory opinion request in Docket No. 23-1006 from Mark Pousson, a member of the Louisiana Rice Promotion Board regarding whether certain transactions create conflicts of interest under the Code of Governmental Ethics. On motion made, seconded and unanimously passed, the Board concluded the following:

(1) the Code of Governmental Ethics does not prohibit the Promotion Board from receiving payment from the USA Rice Council for legal fees while it has a contractual relationship with the USA Rice Council since the legal fees are not to cover legal expenses for the individual members of the Promotion Board.

(2) Section 1111C(2)(d) of the Code of Governmental Ethics prohibits a Promotion Board member from receiving any thing of economic value for services rendered to the USA Rice Council while it has a contractual relationship with the Promotion Board. Therefore, as long as the Promotion Board member does not receive any compensation for their service as a board member or committee member of the USA Rice Council, they would not be prohibited from

serving in such capacities while a member of the Promotion Board and the Promotion Board contracts with the USA Rice Council.

(3) that since the legal fees are not for a Promotion Board member's personal representation, Section 1112A of the Code of Governmental Ethics does not prohibit a Promotion Board member from executing an agreement for legal representation of the Promotion Board with the USA Rice Council; and, since the USA Rice Council does not have a substantial economic interest in the agreement for legal representation of the Promotion Board, no issue is presented under La. R.S. 42:1112B(3) if the Promotion Board member executes the agreement for legal representation of the Promotion Board with the USA Rice Council while the Promotion Board member is an officer or director of the USA Rice Council.

(4) that since the class for the lawsuit has been defined to include approximately 10,000 individuals and legal entities, Section 1112A of the Code of Governmental Ethics does not prohibit a Promotion Board member from participating in discussions involving the lawsuit.

(5) that Section 1115 of the Code of Governmental Ethics prohibits a Promotion Board member from receiving a thing of economic value, such as travel and lodging, from the USA Rice Council since it has a contract with the Promotion Board. However, the Promotion Board member is not prohibited from accepting the travel and lodging if he meets the requirements set forth in La. R.S. 42:1115.2.

Board Member Scott returned to the meeting at 10:43 a.m.

The Board considered an advisory opinion request in Docket No. 24-021 regarding whether the Code of Governmental Ethics permits Leon Spears to contract with Louisiana state agencies to provide First Aid and CPR training services. On motion made, seconded and

unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits Mr. Spears from entering into any contract or transaction that is under the supervision or jurisdiction of his agency, the Office of Public Health within the Louisiana Department of Health and also prohibits Mr. Spears from receiving compensation from any company that has a contractual or other business or financial relationship with the Office of Public Health.

The Board considered an advisory opinion request in Docket No. 24-053 from Adam Chauvin on behalf of Trinity Education Services LLC entering into an internship agreement with Lafourche Ambulance Service District No.1. On motion made, seconded and unanimously passed, the Board deferred the matter.

The Board considered an advisory opinion request in Docket No. 24-105 from Brandon Golsen on behalf of Community Steel Company LLC, regarding the employment of Stacey Cointment, the wife of Ascension Parish President Clint Cointment. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Community Steel from entering into business transactions with Ascension Parish. However, Clint and Stacey Cointment are prohibited by Section 1111C(2)(d) of the Code of Governmental Ethics from receiving compensation from Community Steel while it has or seeks to obtain a contractual, business, or financial relationship with Ascension Parish Government and Clint Cointment serves as Ascension Parish President. The Board further noted that Lynell Johnson's ownership of 25% of Community Steel and her service as an elected Justice of the Peace presents no issues under the Code of Governmental Ethics.

Board Member Couvillon left meeting at 10:47 a.m.

On motion made, seconded and unanimously passed, the Board considered an untimely personal financial disclosure answer in Docket No. 24-101 regarding whether members of the Vermilion Charter Academy School Board are required to file 2020 and 2021 Tier 3 personal financial disclosures. On motion made, seconded and unanimously passed, the Board instructed staff to advise the board members of the Vermilion Charter Foundation d/b/a Vermilion Charter Academy that they were required to file personal financial disclosure statements beginning with 2021 Tier 3 personal financial disclosure.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the February 1 and February 2, 2024 meetings.

On motion made, seconded and unanimously passed, the Board approved the minutes of the March 7 and March 8, 2024 meetings.

Board Member Couvillon returned to the meeting at 10:50 a.m.

The Board considered a consent opinion in Docket No. 17-1404 regarding Brian Pope, former Lafayette City Marshal, relating to violations of Sections 1111A and 1112A of the Code of Governmental Ethics. Mr. Pope has signed a consent opinion for violations of Sections 1111A and 1112A of the Code of Governmental Ethics with no 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. 21-144 regarding George Shaw related to his prohibited contract with the Town of Cotton Valley. Mr. Shaw has signed a consent opinion for violation of Section 1113A(1)(a) of the Code of Governmental Ethics with a civil penalty of \$1,000. On motion made, seconded and unanimously passed, the Board adopted

for publication the consent opinion and dismissed the charges pending before the Ethics Adjudicatory Board.

The Board considered a petition for rulemaking in Docket No. 24-074 asking the Board to clarify that R.S. 18:1463C(4) of the Election Code prohibiting misrepresentations in political materials applies to deceptive AI campaign communications. On motion made, seconded and unanimously passed, the Board declined to take any action with respect to the petition for rulemaking since the Board does not have jurisdiction to enforce the prohibitions in R.S. 18:1463.

The Board considered a staff memorandum concerning the dollar amount for the food and drink limit that can be provided to a public servant per event, and whether there should be an increase based on La. R.S. 42:1115.1. On motion made, seconded and unanimously passed, the Board instructed staff to promulgate a rule which increases the current value of food and drink limit to \$79 per event beginning July 1, 2024.

Board Member Lavastida left the meeting at 10:55 a.m.

The Board considered Political Committee Rules. On motion made, seconded and unanimously passed, the Board deferred the matter.

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 G49, 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 G49, 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. 23-1087 from Darrell R. Sinagra, 30-P of a \$760 late fee;
Docket No. 23-1088 from Phillip D. “David” Ridder, Jr., 30-P of a \$280 late fee;
Docket No. 23-1091 from Joshua Cathedralle Lewis, 10-P of a \$420 late fee;
Docket No. 24-040 from Charles E. Marsala, 30-P of a \$420 late fee;
Docket No. 24-040 from Charles E. Marsala, 10-G of a \$540 late fee;
Docket No. 24-058 from David “Dave” Carskadon, 30-P of a \$300 late fee;
Docket No. 24-058 from David “Dave” Carskadon, 10-P of a \$120 late fee;
Docket No. 24-098 from Kevin Bates, 10-G of a \$540 late fee;
Docket No. 24-099 from Todd Gaspard, 10-G of a \$480 late fee; and,
Docket No. 24-110 from House Democratic Campaign Committee of the State Central Committee of Louisiana, 30-P of a \$3,000 late fee.

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. 23-1090 from Lazelle Phillips Roy, 10-G of a \$360 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board unanimously reduced to \$580.95 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. 24-011 from Brien K. Pledger, 10-G of a \$1,000 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board unanimously reduced to \$1,000 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. 24-036 from Kevin Guitterez, 30-P of a \$2,500 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. 24-038 from Oneal P. Mills, Sr., 30-P of a \$780 late fee.

Board Member Couvillon recused herself from voting on Docket No. 24-109.

The Board considered a waiver request in Docket No. 24-109 regarding a \$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 declined to waive the late fee.

The Board considered a lobbying waiver request in Docket No. 24-041 regarding a \$50 late fee assessed against Caitlin Connors for the late filing of the November 2023 Lobbying Expenditure report. On motion made, seconded and unanimously passed, the Board waived the late fee since this is Caitlin Connors' first late filing,

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 G51, 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 G51, taking the following action:

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

Docket 23-089 Winston Kent Roberts, Amended 2019 Tier 2.1, 42 days late of a \$1,500 late fee;

Docket 24-042 Clifton Morris, Amended 2020 Tier 2, 351 days late of a \$2,500 late fee;

Docket 23-909 Timothy Anthony Larkin, Amended 2021 Tier 2, 58 days late of a \$2,500 late fee;

Docket 23-974 Darlene Francois Riley, 2022 Tier 3, 46 days late of a \$500 late fee;

Docket 23-989 Raphineas Gerald "Ray" Riley, Amended 2021 Tier 2, 363 days late of a \$2,500 late fee;

Docket 23-992 Bruce Allen Taylor, 2022 Tier 3, 51 days late of a \$500 late fee;

Docket 23-1021 Angela McDaniel "Beth" Smith, Amended 2020 Tier 3, 201 days late of a \$500 late fee;

Docket 23-1021 Angela McDaniel "Beth" Smith, Amended 2021 Tier 3, 230 days late of a \$500 late fee; and,

Docket 24-112 Harvey White, Amended 2022 Tier 2, not filed of a \$2,500 late fee.

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

Docket 23-481 Carla Powell, Amended 2021 Tier 2, 27 days late of a \$2,500 late fee; and, Docket 23-993 Timothy R. “Tim” Riley, Amended 2021 Tier 2, 560 days late of a \$2,500 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 23-991 Joseph “Joe” Erdey, 2022 Tier 2, 17 days late of a \$1,700 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 23-993 Timothy R. “Tim” Riley, Amended 2022 Tier 2, 68 days late of a \$2,500 late fee;

Docket 23-1010 Christopher Scott Clostio, 2021 Tier 2.1, 142 days late of a \$1,500 late fee;

Docket 23-1011 Brett Wyre McCaughey, Amended Tier 2.1, 22 days late of a \$1,100 late fee;

Docket 23-1020 Thomas Houston “Tom” McVea, 2021 Tier 2.1, 8 days late of a \$400 late fee; and,

Docket 23-1040 James Veuleman, 2021 Tier 3, 436 days late of a \$500 late fee.

On motion made, seconded and unanimously passed, the Board considered an untimely waiver request in Docket No. 23-192 submitted by Alton Joseph Broussard, former member of the State of Louisiana Board of Barber Examiner, regarding a \$1,500 late fee assessed for filing his 2019 Tier 2.1 annual personal financial disclosure 637 days late and regarding a \$1,500 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 voted to consider the waiver request and waived all assessed late fees against Mr. Broussard.

The Board considered a school board disclosure waiver request in Docket No. 23-952 submitted by D’Juana L. McCartney, LaSalle Parish School Board, regarding a \$550 late fee assessed for filing her 2023 School Board Disclosure 11 days late. On motion made, seconded

and unanimously passed, the Board suspended all but \$300 based on future compliance with the Code of Governmental Ethics. The \$300 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.

The Board considered a school board disclosure waiver request in Docket No. 23-1009 submitted by Carlos Ray Archield, Beauregard Parish School Board, regarding a \$1,500 late fee assessed for filing his 2023 School Board Disclosure 39 days late. On motion made, seconded and unanimously passed, the Board suspended all but \$500 based on future compliance with the Code of Governmental Ethics since this is Mr. Archield's first late filing.

The Board unanimously agreed to take action on the requests of untimely waivers of late fees assessed against individuals included in item G53, 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 G53, taking the following action:

The Board considered the untimely waiver request in Docket No. 23-975 submitted by Alejandro R. Perkins, Board of Supervisors for the University of Louisiana System regarding a \$1,500 late fee assessed for filing his 2018 Tier 2.1 annual personal financial disclosure 101 days late; a \$1,500 late fee assessed for filing his 2019 Tier 2.1 annual personal financial disclosure 84 days late; a \$1,500 late fee assessed for filing his 2020 Tier 2.1 annual personal financial disclosure 84 days late; and, a \$1,500 late fee assessed for filing his 2021 Tier 2.1 annual personal financial disclosure 84 days late. On motion made, seconded and unanimously passed, the Board considered the untimely waiver request and declined to waive all of the assessed late fees since the filer failed to state good cause which is outside of the control of filer.

The Board considered the untimely waiver request in Docket No. 23-1022 submitted by

Richard “Rich” Hughes, candidate for City of Crowley Board of Aldermen/Ward 2, Division B, Acadia Parish, in the November 8, 2022 election, regarding a \$500 late fee assessed for filing his amended 2021 Tier 3 candidate personal financial disclosure 203 days late. On motion made, seconded and unanimously passed, the Board considered the untimely waiver request and suspended all based on future compliance with the Code of Governmental Ethics.

The Board unanimously agreed to take action on the requests of reconsiderations of late fees assessed against individuals included in item G54, 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 G54, taking the following action:

The Board considered a reconsideration request in Docket No. 23-593 regarding the Board’s decision to decline to waive a \$500 late fee assessed against Deborah T. Bennett, Constable/Ward 3/Catahoula Parish, for filing her 2021 Tier 3 annual personal financial disclosure 99 days late. On motion made, seconded and unanimously passed, the Board affirmed the Board’s decision to decline to waive since the filer failed to state a good cause which is outside of control of filer as required under La. R.S. 42:1157(A)(1)(b).

The Board considered a reconsideration request in Docket No. 23-764 by Erick Falting, Member of School Board, District 12, Bossier Parish, in the November 8, 2022 election, that the Board reconsider its decision to 1) decline to waive the \$1,000 campaign finance late fee for a 30-P filed 175 days late; 2) reduce to \$915.61 and decline to waive the \$1,000 late fee for a 10-P filed 155 days late; 3) reduce to \$400 and decline to waive the two (2) \$1,000 late fees for a 10-G report filed 125 days late and a SUPP2022 report filed 57 days late. On motion made, seconded and unanimously passed, the Board affirmed its prior decision.

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

The Board considered an advisory opinion request in Docket No. 23-1067 from Patrick Ottinger with Ottinger Hebert LLC regarding his appointment as City-Parish Attorney for Lafayette Consolidated Government, as well as his appointment of Assistant City-Parish Attorneys from his firm. On motion made, seconded and unanimously passed, the Board deferred the matter.

The Board considered an advisory opinion request in Docket No. 24-208 regarding whether the Code of Governmental Ethics permits Ta'Kerria Nichole Kahey, an employee of Verizon, to invite her mother, who is employed with the Department of Children and Family Services, on a trip provided by Verizon. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Ms. Kahey from gifting her mother with a trip to Puerto Rico.

The Board considered a request for reconsideration of a prior advisory opinion in Docket No. 23-520 submitted by Dr. Shannon LaFargue, Superintendent of the Calcasieu Parish School Board (“CPSB”), concerning various scenarios where school employees are providing compensated services to students. On motion made, seconded and unanimously passed, the Board concluded the following: Scenario No. 1: Rentals of CPSB Facilities – La. R.S. 42:1113A(1)(a) prohibits a CPSB employee from entering into any contracts, subcontracts, or transactions with CPSB to rent or lease the school where the employee is employed. The Board notes that the prohibition in La. R.S. 42:1113A(1)(a) extends to an employee’s immediate family members pursuant to La. R.S. 42:1102(13). The prohibition also applies to any legal entity in which the employee or their immediate family members have an ownership interest either individually or collectively in excess of 25%, pursuant to La. R.S. 42:1102(8). However, La. R.S.

42:1113A(1)(a) does not prohibit a CPSB employee from entering into any contracts, subcontracts, or transactions with CPSB to rent or lease schools or facilities at which the employee does not provide services since such a transaction would not be under the supervision or jurisdiction of the employee's agency. Scenario No. 2: Private Tutoring Services to Students - La. R.S. 42:1111C(1)(a) prohibits a CPSB teacher from providing compensated tutoring services to the students in their class. Additionally, the prohibition in La. R.S. 42:1111C(1)(a) also applies to any legal entity that the public servant wholly owns and controls. However, La. R.S. 42:1111C(1)(a) does not prohibit a CPSB teacher from providing compensated tutoring services to students who are not currently in their class or students who attend other CPSB schools since the teacher would not have participated in providing such services to those students. This prohibition does not extend to the public servant's immediate family members. Further, the Board notes that a limited exception to the Code exists in La. R.S. 42:1123(14) to allow teachers to provide special education and related services to students. Finally, the Board notes that the Code does not prohibit a CPSB employee from receiving additional compensation from the CPSB to provide tutoring services to students when the school itself provides those services, provided that the teacher is duly entitled to receive such compensation for the performance of such tutoring duties within La. R.S. 42:1111A(1)(a). Scenario No. 3: Athletic Training Services to Students - La. R.S. 42:1111C(1)(a) generally prohibits a CPSB coach from providing compensated private athletic training services to the students in his classes when those services are substantially related to the responsibilities, program or operations of the school and the coach has participated in providing those services to his students at his school. The prohibition in La. R.S. 42:1111C(1)(a) also applies to any legal entity that the public servant wholly owns and controls. However, La. R.S. 42:1111C(1)(a) does not prohibit a CPSB coach from providing

compensated private athletic training services to students who are not currently in his classes or students who attend other CPSB schools since the coach would not have participated in providing training services to those students as a CPSB employee.

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 11:13 a.m.

Secretary

APPROVED:

Chairwoman