

LOUISIANA BOARD OF ETHICS
MINUTES
December 8, 2023

The Board of Ethics met on December 8, 2023 at 9:13 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 Colomb, Couvillon, Grimley, Roberts, Scott and Speer present. Board Members Baños, Bryant, 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, Jessica Meiners and Charles Reeves.

The Board moved the Public Hearing on an Application for Declaratory Opinion in Docket No. 23-435 submitted on behalf of the Jefferson Parish Fire Fighters Association - Local 1374 - International Association of Fire Fighters to the January 5, 2024 meeting.

The Board deferred Docket No. 23-791 until the end of the meeting.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G3-G9 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 G3-G9, excluding items G3, G8 and G9, taking the following action:

The Board considered an advisory opinion request in Docket No. 23-758 as to whether the Code of Governmental Ethics prohibits Valerie Clark's company to obtain federal contracts and with citizens who qualify for the programs under the federal contracts while still employed with the Department of Children and Family Services as a Compliance Programs Director (DCSF). On motion made, seconded and unanimously passed, the Board concluded that Ms. Clark, as the Compliant Programs Director for the Bureau of General Counsel for DCFS, is a

public servant pursuant to Section 1102(19) of the Code of Governmental Ethics. Ms. Clark's agency is the Bureau of General Counsel pursuant to Section 1102(2) of the Code of Governmental Ethics and her governmental entity is the State of Louisiana. Section 1111(C)(1) of the Code of Governmental Ethics prohibits from receiving something of economic value from any clients of DCFS for developing, coordinating, implementing, or administering any compliance program as required by federal and state civil rights laws, regulations or administrative procedures. Sections 1111(C)(2)(d) and La. R.S. 42:1115A(1) of the Code of Governmental Ethics prohibit Ms. Clark, or any legal entity in which she exercises control or owns an interest in excess of twenty-five percent, from receiving any thing of economic value for or in consideration of services rendered, or to be rendered, to or for any person who has or is seeking to have a contractual, business or other financial relationship with the Bureau of General Counsel for DCFS. Sections 1111(C)(2)(d) and La. R.S. 42:1115B of the Code of Governmental Ethics prohibit Ms. Clark, or any legal entity in which she exercises control or owns an interest in excess of twenty-five percent, from receiving any thing of economic value for or in consideration of services rendered, or to be rendered, to or for any person who conducts operations or activities which are regulated by or has an economic interest that she can affect as an employee of the Bureau of General Counsel for DCFS.

The Board considered an advisory opinion request in Docket No. 23-761 as to whether the hiring of Lisa Free as an office administrator for the Cypress Black Bayou Recreation and Water Conversation District Board violates the Code of Governmental Ethics, when her husband, Jeff Free, is a Bossier City Councilman. 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. Free being employed with Cypress-Black Bayou Recreation and Water Conversation District, which is a separate political subdivision from the City of Bossier.

The Board considered an advisory opinion request in Docket No. 23-874 regarding whether the post-employment provisions of the Code of Governmental Ethics prohibit Krista Jankowski, a former employee of the Louisiana Coastal Protection and Restoration Authority ("CPRA"), Planning and Research Division, working for Arcadis. On motion made, seconded and unanimously passed, the Board concluded that the restrictions in Section 1121(B) of the Code of Governmental Ethics prohibit Ms. Jankowski from assisting Arcadis in matters in which she participated at CPRA, which did not include the watershed initiative and from rendering service on a contractual basis for the Planning and Research Division. The Board also concluded that Arcadis is prohibited by Section 1121C of the Code of Governmental Ethics from assisting clients in matters in which Ms. Jankowski participated.

The Board considered an advisory opinion request in Docket No. 23-875 from John Scott Pousson, DeQuincy Middle School Principal, as to whether his wife may work as a substitute teacher at DeQuincy Middle School ("DMS"). On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits John Scott Pousson's wife from being employed by DMS as a temporary substitute teacher while he is the principal of DMS.

On motion made, seconded and unanimously passed, the Board reconsidered an advisory opinion request in Docket No. 23-747 regarding whether the Code of Governmental Ethics prohibits St. Mary Parish Library from employing the daughter of the St. Mary Parish President. On motion made, seconded and unanimously passed, the Board concluded that Section 1119B(1) of the Code of Governmental Ethics prohibits Allison Jones from continuing her employment with

the St. Mary Parish Library once her father, Sam Jones, is sworn into office as St. Mary Parish President.

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 deferred the matter for staff to get more information.

The Board considered an advisory opinion request in Docket No. 23-880 regarding whether the Code of Governmental Ethics permits Andrew Windmann to perform design and detailing services as it pertains to bridge design after retirement from the Louisiana Department of Transportation and Development (“DOTD”). On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics permits Mr. Windmann to be employed by a private employer to provide, bridge design calculations and construction plan development, including services involving transactions between his current employer and DOTD, provided that he did not participate in such transactions during his employment by DOTD. Also, Mr. Windmann is not prohibited from working with DOTD on projects that he did not participate in while at DOTD. Furthermore, he cannot provide services, on a contract basis, to the Project Management unit within the Bridge Design section of DOTD.

On motion made, seconded and unanimously passed, the Board added Docket 2023-953 to the agenda.

Timothy Lin Causey, Evangeline Parish Police Juror, appeared before the Board requesting an advisory opinion in Docket No. 23-953 regarding whether the Code of Governmental Ethics prohibits the renewal of a lease agreement between Mr. Causey and the Evangeline Parish Police Jury since he was elected to the Evangeline Parish Police Jury in the October 2023 election. On motion made, seconded and passed by a vote of 5 yeas by Board Members Colomb, Couvillon, Roberts, Scott and Speer and 1 nay by Board Member Grimley, the Board concluded that since the lease agreement was entered into prior to Mr. Causey taking office, the lease agreement with Evangeline Parish may continue pursuant to its terms and conditions as long as it remains unchanged and no action is required by Evangeline Parish. In addition, Mr. Causey must recuse himself from participating in any matter that comes before the Evangeline Parish Police Jury involving the lease agreement and the lease agreement must be disclosed annually by May 15th on both his public servant Section 1114 financial disclosure statement and personal financial disclosure statement.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the November 2 and November 3, 2023 meetings.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G11-G14 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 G11-G14, excluding G14 taking the following action:

The Board considered a consent opinion in Docket No. 19-131 regarding Charles Abels, III, former Louisiana Tax Commission Administrator, and his receipt of unlawful compensation

and fuel reimbursements. 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. 22-197 regarding Virginia Sutton, former Director of St. Mary Parish Recreation District No. 5, and Betty Jackson, independent contractor for the District, relating to the receipt of a thing of economic value they were not duly entitled to receive for the performance of their job duties and responsibilities. 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. 23-402 concerning John Alexander's failure to complete mandatory lobbying training for 2022. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion.

The Board moved G14 to be the last item discussed on the agenda.

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 G15 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 G15, excluding Docket No. 23-862 and 23-908, taking the following action:

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

Docket 23-860 Stacey Bush Morales, Amended 2018 Tier 2.1, failure to file of a \$1,500 late fee;

Docket 23-861 Edward Austin “Ed” Lazarus, 2021 Tier 2, 98 days late of a \$2,500 late fee;

Docket 23-906 John Keith Dallalio, 2020 Tier 3, 581 days late of a \$500 late fee; and,

Docket 23-906 John Keith Dallalio, 2021 Tier 3, 1 day late of a \$25 late fee.

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

Docket 23-905 Ronald Weldon Seal, Amend 2020 Tier 2.1, 7 days late of a \$350 late fee;
and,
Docket 23-907 Tiffany J. Nelson, 2021 Tier 3, 6 days late of a \$150 late fee.

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

Docket 23-862 Reddex Lamont Washington, Jr., 2021 Tier 2, 88 days late of a \$2,500 late fee; and,
Docket 23-908 Flynn A. Taylor, M.D., 2021 Tier 2, 7 days late of a \$700 late fee.

The Board considered an untimely waiver request in Docket No. 23-910 submitted by Derrick L. Henderson, candidate for Councilman/District G, City of Shreveport/Bossier & Caddo Parishes, in the November 8, 2022 election, regarding a \$2,500 late fee assessed for filing his amended 2021 Tier 2 candidate personal financial disclosure 28 days late. On motion made, seconded and unanimously passed, the Board deferred the matter to a future Board meeting.

The Board considered a reconsideration request in Docket No. 22-961 regarding its decision to decline to waive a \$1,500 late fee assessed against Claude “Clyde” Wiggins, a Gramercy Board of Alderman, for filing his 2019 Tier 3 annual personal financial disclosure 75 days late. On motion made, seconded and unanimously passed, the Board affirmed its decision to decline to waive.

The Board considered a reconsideration request in Docket No. 23-355 regarding its decision to decline to waive the \$2,500 late fee assessed against Shalon Ray Latour, an unsuccessful candidate for Public Service Commission / District 4 in the November 8, 2022 election, for filing his 2021 Tier 2 candidate personal financial disclosure 96 days late. On

motion made, seconded and unanimously passed, the Board affirmed its decision to decline to waive.

The Board considered a waiver request in Docket No. 23-791 submitted by LaTonya S. Charles, a former member of the Louisiana State Board of Social Work Examiners, regarding a \$400 late fee assessed for filing her amended 2019 Tier 2.1 annual personal financial disclosure 8 days late. On motion made, seconded and unanimously passed, the Board suspended all based on future compliance with the Code of Governmental Ethics.

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

The Board considered an advisory opinion request in Docket No. 23-1028 as to whether Mrs. Laurie Friloux, spouse of the newly appointed Adjunct General for the State of Louisiana, Brigadier General Thomas Friloux, may continue her employment with the Louisiana Military Department's Fiscal Section. On motion made, seconded and unanimously passed, the Board concluded that since General Friloux will be the agency head of the Military Department, his wife's continued employment is prohibited once he assumes the position of Adjutant General. Since he assumes the position on January 8, 2024, that is the day he becomes the agency head of the Military Department. Therefore, the requirement that his appointment is with "consent of Senate" would not provide additional time towards the one-year exception in Section 1119C of the Code of Governmental Ethics. Also, the statute does not provide a grace period until she finds alternate employment.

The Board discussed the 2024 proposed legislative recommendations from staff and deferred consideration until its January 2024 meeting.

On motion made, seconded and unanimously passed, the Board adjourned at 10:37 a.m.

Secretary

APPROVED:

Chairwoman