

LOUISIANA BOARD OF ETHICS
MINUTES
November 8, 2024

The Board of Ethics met on November 8, 2024 at 9:06 a.m. in the LaBelle Room on the 1st floor of the LaSalle Building located at 617 North Third Street, Baton Rouge, Louisiana with Board Members Bryant, Colomb, Couvillon, Grand, Grimley, Lavastida, Roberts, Scott and Speer present. Board Members Baños and Ellis were absent. Also present were the Ethics Administrator, Kathleen Allen; the Administrative Coordinator, Lynette Tucker; and Counsel Tracy Barker, David Bordelon, Mallory Guillot, Jessica Meiners, Suzanne Mooney and Charles Reeves.

Chairwoman Roberts announced that Executive Secretary Carolyn Landry's mother passed away early Thursday morning and to please keep Carolyn and her family in their thoughts and prayers.

Mr. Jason Duke Sooter, former Director of Facility Planning and Control, appeared before the Board in Docket No. 24-670 regarding the time limitations of his post-employment restrictions involving his service as a member of the Architects Selection Board. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits Mr. Sooter, as a former agency head, from assisting his current employer, Stantec, with any transaction involving his former agency, the Architecture Selection Board, until February 3, 2025.

Mr. Julien Burns, representing New Orleans Rising PAC LLC, appeared before the Board in Docket No. 24-698 regarding a request that the Board waive the \$3,000.00 campaign finance late fee assessed against, New Orleans Rising PAC LLC, a political action committee, its committee's chairperson, Elias Newman, and treasurer, Grace Treffinge, whose 2023 Annual

campaign finance disclosure report was filed 169 days late. In its capacity as the Supervisory Committee on Campaign Finance Disclosure and after hearing from Mr. Burns, on motion made, seconded and unanimously passed, the Board suspended all but \$340 based on future compliance.

Col. Frank B. Arnemann, Jr., a Kenner Naval Museum Commission volunteer member, appeared before the Board in Docket No. 24-691 regarding a \$650 late fee assessed for filing his 2022 Tier 2.1 annual personal financial disclosure 13 days late. After hearing from Col. Arnemann, 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.

Mr. Ashton Broussard, Chairperson for Citizens for Good Taxes, appeared before the Board in Docket No. 24-740 requesting that the Board waive the \$3,000.00 campaign finance late fee assessed against Citizens for Good Taxes, a political action committee, its committee's chairperson, Ashton Broussard, and treasurer, Amber Trahan, in the March 23, 2024 election, whose 10-G campaign finance disclosure report was filed 36 days late. In its capacity as the Supervisory Committee on Campaign Finance Disclosure and after hearing from Mr. Broussard, on motion made, seconded and unanimously passed, the Board suspended all of the late fee based on future compliance.

Holly Amanda Hughes, a Livingston Parish Library (LPL) employee, appeared before the Board in Docket No. 24-736, requesting an advisory opinion regarding whether the Code of Governmental Ethics prohibits her from donating her services to her agency. On motion made, seconded and unanimously passed, the Board concluded that based on the facts presented, Ms. Hughes is not prohibited from donating career facilitation services to individuals, non-profits, NGO's and government organizations within Livingston Parish and surrounding parishes.

Ms. Allen notified the Board that Senators Regina Barrow and Stewart Cathey, Jr. filed a lawsuit against the board in the 19th Judicial District Court seeking to enjoin the Board from hiring someone to fill the upcoming vacant ethics administrator position.

On motion made, seconded, and unanimously passed, the Board added the newly filed motion in the 19th Judicial District Court to the agenda.

On motion made, seconded and unanimously passed, the Board resolved into executive session at 9:40 a.m. to discuss the litigation.

EXECUTIVE SESSION

On motion made, seconded and unanimously passed, the Board exited executive session at 11:07 a.m.

The Board took a recess from 11:08 a.m. to 11:18 a.m.

Board Member Lavastida exited the meeting at 11:10 a.m.

On motion made, seconded and unanimously passed, the Board directed staff to represent the Louisiana Board of Ethics staff in the lawsuit filed against them in the 19th Judicial District Court.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G3-G13 en globo subject to any items being removed from the en globo listing for further discussion.

On motion made, seconded and unanimously passed, the Board adopted the staff recommendations on items G3-G13, excluding items G4, G5 and G7, taking the following action:

The Board considered an advisory opinion request in Docket No. 24-667 from Danny Tullier, an employee of the Louisiana Department of Transportation and Development (“DOTD”), regarding his son’s company, Newroll Enterprises, LLC, providing services to DOTD and/or DOTD vendors. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits Newroll Enterprises LLC from entering into any contract, subcontract, or other transaction under the supervision or jurisdiction of Mr. Tullier’s agency, the DOTD Office of Operations. The Code of Governmental Ethics does not prohibit Mr. Tullier’s son, through his business, from rendering services to DOTD vendors, provided those services are unrelated to a DOTD project under the supervision or jurisdiction of the DOTD Office of Operations.

The Board considered an advisory opinion request in Docket No. 24-709 from Glenn J. Mentel, Jr., an employee of the Division of Administrative Law (“DAL”), related to outside employment. On motion made, seconded and unanimously passed, the Board concluded that as an employee of DAL, Mr. Mentel is prohibited from receiving compensation for services rendered to persons who conduct business with DAL.

The Board considered an advisory opinion request in Docket No. 24-734 from Harry St. Pierre, Jr. as to whether the Code of Governmental Ethics prohibits him from accepting a position with Hunt Guillot and Associates (“HGA”) following his retirement from the East Baton Rouge Mayor’s Office of Homeland Security and Emergency Preparedness (“MOHSEP”). On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Mr. St. Pierre from assisting HGA in transactions involving the State of Louisiana following his resignation as an employee of MOHSEP for the City Parish of East Baton Rouge.

The Board considered a disqualification plan in Docket No. 24-737 proposed by Louisiana Department of Transportation and Development District 3 engineering employees, Zachary and Troy Ardoin. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit the continued employment of Troy Ardoin in Area 293 while his son, Zachary Ardoin, serves as Area Engineer for Area 293. The Board approved the disqualification plan since it meets the requirements of Chapter 14 of Title 52 of the Louisiana Administrative Code – Rules of the Board of Ethics.

The Board considered an advisory opinion request in Docket No. 24-738 regarding whether the Code of Governmental Ethics permits Heather Darby and Layne Darby to continue their employment with the Louisiana Department of Transportation and Development (“DOTD”) District 03, Unit 071, and seeking approval of disqualification plan. On motion made, seconded and unanimously passed, the Board concluded that Heather Darby and Layne Darby are not prohibited from being employed within DOTD District 03, Unit 071, since neither employee is an agency head. The Board approved the submitted disqualification plan since it meets the requirements of R.S. 42:1134(A)(1) and regulations issued by the Board.

The Board considered a disqualification plan in Docket 24-739 for the Louisiana Department of Transportation and Development (“DOTD”) to approve a plan to allow DOTD employee Eric Dauphine, the brother of DOTD employee Brook Dauphine, to recuse himself from any matters relating to his sister’s employment. On motion made, seconded and unanimously passed, the Board approved the disqualification plan proposed as it complies with the criteria set forth in Chapter 14 of the Rules of the Board of Ethics.

The Board considered an advisory opinion request in Docket No. 24-745 regarding whether the Code of Governmental Ethics permits the employment of Alicia Powell at Jena High

School while her husband serves as Principal of Jena High School. On motion made, seconded and unanimously passed, the Board concluded that Alicia Powell is not prohibited from continuing her employment at Jena High School since she was employed for a period of at least one year prior to her husband becoming the Principal. The Board approved the disqualification plan submitted since it meets the requirements of R.S. 42:1134(A)(1) and regulations issued by the Board of Ethics.

The Board considered an advisory opinion request in Docket No. 24-682 from Tammy Lamy, an elected member of the St. Tammany Parish School Board, regarding her providing tutoring services to students in St. Tammany Parish. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits Ms. Lamy from rendering tutoring services through Scoot Education while Scoot Education has a contractual, business, or financial relationship with the St. Tammany Parish School Board. However, the Code of Governmental Ethics does not prohibit Ms. Lamy from providing tutoring services directly to students. Finally, the Code of Governmental Ethics prohibits Ms. Lamy, for a period of two years following the end of her term as an elected member of the St. Tammany Parish School Board, from being rehired by the St. Tammany Parish School Board in any capacity.

The Board considered an advisory opinion request in Docket No. 24-700 concerning whether Catherine Creamer may continue to serve as Natchitoches Parish Human Resource Director while her husband, Joey Creamer, serves as the Interim Public Works Director for Natchitoches Parish. On motion made, seconded and unanimously passed, the Board concluded that Joey Creamer's employment with Natchitoches Parish Public Works Interim Director does

not violate the nepotism restrictions in the Code of Governmental Ethics. However, Ms. Creamer is advised to submit a disqualification plan under La. R.S. 42:1112C.

Chairwoman Roberts recused herself from voting on Docket No. 24-732 and vacated the Chair. Board Member Couvillon assumed the Chair.

The Board considered an advisory opinion request in Docket No. 24-732 regarding whether the Code of Governmental Ethics permits Roxanne Adams to serve as the Clerk of Council for St. Bernard Parish Governmental while also serving as the secretary of the St. Bernard Parish Fire Civil Service Board. On motion made, seconded and unanimously passed, the Board concluded that this opinion request may present an issue associated with the Louisiana Dual Office-Holding laws, which are under the jurisdiction of the Attorney General. The Board instructed staff to suggest Ms. Adams contact the Attorney General's Office regarding the application of those laws and to let her know that a copy of her request and the opinion has been forwarded to the Attorney General's Office.

Board Member Couvillon vacated the Chair, and Chairwoman Roberts resumed the Chair.

The Board considered a personal financial disclosure answer in Docket No. 24-743 submitted by Phillip Harris on behalf of Roger Dale Harris, former Constable/ Ward 3 / Mooringsport / Caddo Parish, regarding Notices of Delinquency-Amend received for his 2021 and 2022 Tier 3 annual personal financial disclosures; and, a Notice of Delinquency-Failure to File for his 2023 Tier 3 annual personal financial disclosure. On motion made, seconded and unanimously passed, the Board advised that the reports are not required to be filed since Roger Harris is unable to complete the amendments and reports.

The Board considered the following general business agenda items:

On motion made, seconded, and unanimously passed, the Board deferred approving October minutes until the December meeting.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered an assessment of the enhanced penalty pursuant to La. R.S. 18:1505.4A(4)(a) and La. R.S. 18:1505.4A(4)(b) in Docket No. 21-166 regarding Joseph Lockett, Sr., candidate for Sheriff, Allen Parish, in the October 12, 2019 election, for his failure to file 10-P and 10-G campaign finance disclosure reports. On motion made, seconded and unanimously passed, the Board assessed an additional civil penalty of \$10,000 per report for failure to file the 10-P and 10-G campaign finance disclosure reports.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered an assessment of the enhanced penalty pursuant to La. R.S. 18:1505.4A(4)(a) and La. R.S. 18:1505.4A(4)(b) in Docket No. 21-1014 regarding Rickey Dale Thomas, candidate for City Marshal, City Court of Bunkie, in the November 3, 2020 election, for his failure to file 30-P, 10-P and 10-G campaign finance disclosure reports. On motion made, seconded and unanimously passed, the Board deferred the matter until the December meeting.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board reconsidered an assessment of the enhanced penalty pursuant to La. R.S. 18:1505.4A(4)(b) in Docket No. 22-223 regarding Corey Smith, candidate for Metro Council, District 6, East Baton Rouge Parish, in the November 3, 2020 election, for his failure to file a 10-G campaign finance disclosure report. On motion made, seconded and unanimously passed, the Board rescinded the enhanced late fees given the facts that he contested the proof of notice and he filed the report.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a waiver request in Docket No. 24-755 regarding (2) \$2,000 and \$2,000 campaign

finance late fees assessed against Corey Smith, an unsuccessful candidate for Councilman, Metro District 12, East Baton Rouge Parish, in the November 8, 2016 election, whose 10-P & 10-G campaign finance disclosure reports were filed 436 and 406 days late, respectively. The Board also considered a request that the Board waive the (3) \$2,000.00, \$1,260 and \$2,000 campaign finance late fees (total \$5,260.00) assessed against Corey Smith, an unsuccessful candidate for Councilman / Metro District 6 in the November 3, 2020 election, whose 30-P, 10-P (inaccurate filing), and 10-G campaign finance reports were filed 21, 365 & 1,325 days late, respectively. On motion made, seconded and unanimously passed, the Board declined to waive all late fees.

The Board considered a consent opinion in Docket No. 23-346 regarding Darren Bennett and Bennett's Towing & Recovery Inc. entering into transactions with the Tangipahoa Parish School Board Transportation Department. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion.

The Board considered a consent opinion in Docket No. 23-659 regarding Linda Johnson's receipt of compensation from GEO Foundation for services rendered to the GEO Academies East Baton Rouge charter school while she served as a member of the charter school board, and GEO Foundation had a contractual relationship with the charter school board. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion.

The Board considered an opinion rendered by the Attorney General's Office in Docket No. 24-383 regarding that the Board should redact the home address disclosed by state employees on annual personal financial disclosure statements filed pursuant to La. R.S. 42:1124. Emily Andrews, special counsel with the Office of the Governor, appeared before the Board to request that her home address be redacted from the personal financial disclosure form under the

5th Amendment. On motion made, seconded, and unanimously passed, the Board instructed staff to add the statute to the list of recommendations to the Legislature for change.

The Board considered an advisory opinion request in Docket No. 24-735 from Caddo Parish Schools regarding the application of Act 492 of the 2024 Legislative Session regarding tutoring services. After considering the language of Act 492, on motion made, seconded and unanimously passed, the Board concluded that, generally, the four scenarios presented in the request would fall under the exception in Act 492, which allows teachers to provide tutoring services directly to students enrolled at their school. Should a teacher have any concerns regarding the applicability of the Code of Governmental Ethics to any specific tutoring situation, the Board recommends that the teacher seek an advisory opinion before rendering any such tutoring services.

The Board considered amendments to the Rule for the Louisiana Board of Ethics (LAC 52:I) regarding processing campaign finance complaints. Act 664 changed the campaign finance complaint process. Clarify the procedures with staff and recommend the promulgation with respect to these rules, and these rules were not attached. On motion made, seconded and unanimously passed, the Board deferred G24 temporarily.

The Board considered Chapters 1-7 of the Rules for the Louisiana Board of Ethics (LAC 52:I). On motion made, seconded and unanimously passed, the Board deferred the matter to the December meeting.

The Board considered amendments to the Rule for the Louisiana Board of Ethics (LAC 52:I) regarding the rules to address how staff processes campaign finance complaints. Act 664 changed the campaign finance complaint process. Staff provided electronic copies of the

proposed rules to Board members. On motion made, seconded and unanimously passed, the Board instructed staff to proceed with the rulemaking process with the proposed changes.

The Board took no action regarding an EFStudy draft of proposed report because staff said that the report would be provided for their consideration at the December meeting.

On motion made, seconded and unanimously passed, the Board adopted the staff recommendations on the items in G27, except 24-697 and 24-740, 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. 24-677 from People For A Great Louisiana PAC and Caroline Roemer, 10-G of a late fee of \$3000

Docket No. 24-752 from Thomas”Tom” Kliebert, Jr 2023 SUPP of a \$420 late fee;

Docket No. 24-753 from Vance Oliver, 2023 SUPP of a \$1,680 late fee; and

Docket No. 24-756 from Travis Herrington, 30-P of a \$1,000 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board unanimously suspended all based on future compliance with the reporting requirements in the Campaign Finance Disclosure Act against the following:

Docket No. 24-716 from Derrick Shepherd 2023 SUPP of a \$60 late fee; and

Docket No. 24-716 from Derrick Shepherd 2023 SUPP of a \$60 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board unanimously reduced to \$400 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. 24-754 from Clayton J Voisin, Jr, 2023 SUPP of a \$1000 late fee;

Docket No. 24-756 from Travis Herrington, 10-P of a \$840 late fee; and,

Docket No. 24-756 from Travis Herrington, 10-G of a \$520 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a waiver request in Docket No. 24-697 regarding a \$1,140.00 and a \$360 campaign finance late fees assessed against Craig Hawn, an unsuccessful candidate for Coroner for Concordia Parish in the October 14, 2023 election, whose 30-P and 10-G campaign finance

disclosure reports were filed 19 and 6 days late, respectively. On motion made, seconded and unanimously passed, the Board deferred to December meeting.

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 items G28 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 G28, taking the following action:

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

Docket 24-678 Suzanne Loeb Miller, Amended 2022 Tier 2.1, 149 days late of a \$1500 late fee;

Docket 24-679 Brandon Lee Brener, 2020 Tier 2.1, 733 days late of a \$1500 late fee;

Docket 24-680 Frank J. Divittorio, 2022 Tier 2.1, 5 days late of a \$250 late fee;

Docket 24-690 Alex Baker, III, 2022 Tier 3, 6 days late of a \$150 late fee;

Docket 24-711 Paul P. Matthews, 2022 Tier 2.1, 32 days late of a \$1500 late fee;

Docket 24-741 Kirk William Dickson, 2021 Tier 2.1, 512 days late of a \$1500 late fee;

Docket 24-742 John D. Smith, Sr., 2022 Tier 3, 260 days late of a \$500 late fee;

Docket 24-744 Lem Thomas, 2022 Tier 3, 113 days late of a \$500 late fee;

Docket 24-758 Scott Antoine Bernard, 2019 Tier 3, 152 days late of a \$500 late fee; and,

Docket 24-758 Scott Antoine Bernard 2022 Tier 3, 313 days late of a \$500 late fee.

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

Docket 24-686 Stephen P. Kantrow, 2022 Tier 2.1, 11 days late of a \$550 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 24-693 Ralph William Johnson, 2022 Tier 2.1, 139 days late of a \$1500 late fee;

Docket 24-694 Walter Lee Arceneaux, Amend 2019 Tier 2.1, 1 day late of a \$50 late fee;
and,

Docket 24-757 James Michael Chamlee, 2022 Tier 2.1, 126 days late of a \$1500 late fee.

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

Docket 24-759 Michelle Michelet Verdigets Amend 2022 Tier 2.1, of a \$1500 late fee.

The Board considered a school board disclosure waiver request in Docket No. 24-695 submitted by Brandon “B.J” Delshawn Johnson, Ouachita Parish School Board, regarding a \$1500 late fee assessed for failing to file his 2023 School Board Disclosure. 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 late fees assessed against individuals included in item G30, 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 G30, taking the following action:

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

Docket 24-687 Brian Charles Aucoin, 2021 Tier 3, of a \$500 late fee; and,
Docket 24-689 Michael L Gore, 2022 Tier 2.1, 28 days late of a \$1400 late fee.

The Board unanimously declined to waive the late fee assessed against the following:

Docket 24-692 Ken Todd Demoss, 2022 Tier 2.1, 256 days late of a \$1500 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a reconsideration request in Docket No. 24-180 regarding the Board’s decision to decline to waive the \$1,000 campaign finance late fee assessed against Emily Fenet Parker, an unsuccessful candidate for Police Juror, District 8, Calcasieu Parish, in the October 14, 2023 election, whose 10-G campaign finance disclosure report was filed 33 days late. On motion made, seconded and unanimously passed, the Board affirmed the Board’s decision to decline to waive the late fee.

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

The Board considered an advisory opinion request in Docket No. 24-394 from Dr. Curtis Penrod with the School of Business at Northwestern State University regarding Dr. Eddie Horton providing compensated services to CompTIA. On motion made, seconded and unanimously passed, the Board concluded that based on the specific facts, Dr. Horton is prohibited by the Code of Governmental Ethics from providing compensated services to CompTIA for the certification training classes.

On motion made, seconded, and unanimously passed, the Board deferred an appearance by the Civil Service Director or his designee to answer questions regarding the hiring process for the Ethics Administrator position.

The Board considered a letter from Senator Cameron Henry regarding the hiring of an Ethics Administrator. On motion made, seconded and unanimously passed, the Board deferred indefinitely based on the lawsuit filed in the 19th Judicial District Court.

The Board took a recess at 1:04 p.m. and returned at 1:15 p.m.

The Board considered a letter from Representative Beau Beaulieu asking for an investigation of the Louisiana Board of Ethics regarding the Open Meetings Law with respect to the resignation of the current Ethics Administrator and the hiring of an Ethics Administrator. On motion made, seconded and unanimously passed, the Board instructed Kathleen to send a letter to Representative Beaulieu acknowledging the receipt of his letter and stating the Board is prohibited from responding to his letter at this time based on the lawsuit filed in the 19th Judicial District Court.

On motion made, seconded and unanimously passed. The Board added Docket No. 14-1278 to the agenda.

The Board considered a consent opinion in Docket No. 14-1278 regarding Clarence J. Savoie II. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion and instructed staff to dismiss the charges.

On motion made, seconded and unanimously passed, the Board adjourned at 1:23 p.m.

Secretary

APPROVED:

Chairwoman