

LOUISIANA BOARD OF ETHICS
MINUTES
July 8, 2022

The Board of Ethics met on June 3, 2022 at 9:04 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, Colomb, Grimley, Lavastida, Roberts, Scott and Speer present. Board Members Bryant, Couvillon, Ellis and Grand were absent. Also present were the Ethics Administrator, Kathleen Allen; Executive Secretary, Carolyn Abadie Landry; and Counsel Tracy Barker, David Bordelon, Mallory Guillot, LaToya Jordan, Suzanne Mooney and Charles Reeves.

Alesia Ardoin, attorney representing Ward 3 PAC, appeared before the Board in Docket No. 22-398 to request that the Board waive the \$3,000 and \$1,400 campaign finance late fees assessed against Ward 3 PAC, and its committee's chairperson, Michael Fruge, whose 30-P and 10-P campaign finance disclosure reports for the November 13, 2021 election, were filed 54 and 7 days late, respectively. In its capacity as the Supervisory Committee on Campaign Finance Disclosure, on motion made, seconded and unanimously passed, the Board declined to waive the late fees.

Evelyn Campo appeared before the Board in Docket No. 22-323 regarding a request for an advisory opinion submitted on behalf of Desire Line LLC, regarding whether the Code of Governmental Ethics would prohibit Desire Line LLC from entering into a contract with the Pontchartrain Levee District to provide grant management services. On motion made, seconded and unanimously passed, the Board concluded that based on the facts presented, the Code of Governmental Ethics does not prohibit Desire Line LLC from entering into a contract with the Pontchartrain Levee District to provide grant management services.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G1-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 G1-G14, excluding item G5, G6, G7, G8, G10 and G13 taking the following action:

The Board considered an advisory opinion request in Docket No. 22-206 regarding the City Attorney for City of Bossier City entering into a contract with the father of the City's Chief Administrative Officer. On motion made, seconded and unanimously passed, the Board concluded that Ms. Nottingham is not an agency head for the City of Bossier City. The City's Home Rule Charter prohibits the Mayor from delegating responsibilities with respect to the City Attorney's office, which is the Legal Department. Given the Mayor's assurances that Ms. Nottingham will never be delegated duties or responsibilities with respect to the City's Police Department, Section 1119A of the Code of Governmental Ethics does not prohibit Mr. Teutsch from being employed by the City in its Legal Department.

The Board declined to render an advisory opinion in Docket No. 22-237 from Deon Boudreaux, Police Chief of Port Barre, regarding whether he may work for a bail bonds agency while employed as Police Chief, since without additional information, an opinion cannot be issued by the Board.

The Board allowed the withdrawal of an advisory opinion in Docket No. 22-249 regarding AECOM Technical Services Inc., submitting a response to an upcoming Request for Proposal issued by the Office of Community Development, since AECOM acknowledges that it will not hold both the subcontract and the prime contract involving the Louisiana Restore Program.

The Board declined to render an advisory opinion in Docket No. 22-286 from Sheila Campbell, the Director of the Department of Education, Division of Licensing, regarding whether the Code of Governmental Ethics would prohibit a vendor from becoming an employee, since without additional information, an opinion cannot be issued by the Board.

The Board considered an advisory opinion request in Docket No. 22-355 submitted by Hunter Brown, regarding whether the Code of Governmental Ethics would prohibit him from providing analysis and custom dashboard development services while remaining employed as the Executive Director of Operational Quality at the Louisiana Department of Education. 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. Crochet from providing analysis and custom dashboard development services.

The Board considered an advisory opinion request in Docket No. 22-379 submitted by Monique M. Crochet, M.Ed., regarding whether the Code of Governmental Ethics would prohibit her from running for and being elected to a seat on the City of Thibodaux Council. 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. Crochet from being elected to the City of Thibodaux Council while remaining the Nicholls State University Executive Director of External Affairs.

The Board considered an advisory opinion request in Docket No. 22-380 from Carranza Pryor, Executive Counsel for LSU Health Sciences Center – Shreveport (LSUHSC), regarding potential post-employment restrictions for Dr. Christi Rinaudo, Director of Academic Affairs. On motion made, seconded and unanimously passed, the Board concluded that Section 1121B(1) of the Code of Governmental Ethics will not prohibit Dr. Rinaudo from being employed by Ochsner LSU Health as the Manager of Strategic Academic Operations, provided her new job duties with Ochsner LSU Health would not involve the LSUHSC Department of Academic Affairs and would not involve the same services she provided as an employee of LSU

The Board considered an advisory opinion request in Docket No. 22-411 concerning potential conflicts of interest given the fact that two brothers, Tony Hardy and Mike Hardy, were elected to positions with the City of Abbeville. On motion made, seconded and unanimously passed, the Board

concluded that the Code of Governmental Ethics prohibits Tony Hardy, as a councilman, from participating in any transaction in which Mike Hardy, as Police Chief, has a substantial economic interest, which includes issues involving his salary or any other benefits that may inure to his personal benefit. Also, the Board concluded that Tony Hardy is prohibited by the Code of Governmental Ethics from being appointed and employed as a reserve officer for the Abbeville Police Department while his brother serves as the Abbeville Chief of Police.

The Board considered an advisory opinion request in Docket No. 22-326 regarding any prohibitions that may arise if Andrew L. Halbrook is elected to Ruston City Council while his son serves as the City of Ruston Public Works Utilities Manager. On motion made, seconded and unanimously passed, the Board concluded by that:

- (1) under facts presented, there is an exception Section 1119C of the Code of Governmental Ethics that would allow Andrew L. Halbrook's son to continue his employment because the son has been employed with the City for more than a year prior to Mr. Halbrook's service as a Councilman.
- (2) Section 1112B(1) of the Code of Governmental Ethics prohibits Mr. Halbrook from participating in a transaction in which his son has a personal substantial economic interest. If his son has no personal substantial economic interest in the budget, Mr. Halbrook would not be prohibited from voting on the budget.
- (3) Section 1112B(1) of the Code of Governmental Ethics will not prohibit Mr. Halbrook from voting on a general pay raise, provided his son does not receive any benefit greater than the other city employees.
- (4) Section 1112B(1) of the Code of Governmental Ethics will not prohibit Mr. Halbrook from voting on a general project, provided his son does not have a personal substantial economic interest in the project. If his son does have a personal substantial economic interest in the project, pursuant to Section 1120 of the Code of Governmental Ethics, Mr. Halbrook must recuse himself from the vote; however, he may participate in the discussion, as long as he discloses the potential conflict of interest on the record.

The Board considered an advisory opinion request in Docket No. 22-338 from Kia Price, seeking guidance on several issues stemming from her employment with Louisiana Department of

Health. On motion made, seconded and unanimously passed, the Board deferred the matter until the August meeting.

The Board considered an advisory opinion request in Docket No. 22-354 from Toni Celestine, Director of Career and Testing Services at South Louisiana Community Colleges, regarding outside services provided to high school students and parents. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics would not prohibit Ms. Celestine from providing uncompensated information services through Ms. Celestine's nonprofit organization, Read the Syllabus. In the event Ms. Celestine receives compensation or donations for the services, Section 1111(C)(1)(a) of the Code of Governmental Ethics will not prohibit her from receiving compensation for any services that are not devoted substantially to the operations, programs, and responsibilities of her agency in which she did not participate. Ms. Celestine is not prohibited from receiving donations, provided they are not from prohibited sources as set forth in Section 1115 of the Code of Governmental Ethics.

The Board considered an advisory opinion request in Docket No. 22-378 regarding whether Kara St. Cyr may accept compensation from *64 Parishes*, a Louisiana magazine, for writing an article while employed with Louisiana Public Broadcasting (LPB). On motion made, seconded and unanimously passed, the Board concluded the Code of Governmental Ethics prohibits Ms. Kara St. Cyr from receiving compensation from *64 Parishes*, since the subject matter of the article was substantially related to her work at LPB on *Safe Haven: Louisiana's Green Book*.

The Board considered an advisory opinion request and a disqualification plan in Docket No. 22-394 from Madison Parish School Board regarding hiring a principal at Madison Middle School whose wife is employed at the school as a counselor. On motion made, seconded and unanimously passed, the Board concluded that Section 1119(C)(2) of the Code of Governmental Ethics allows Dr. Rebecca Revels to continue her employment as a counselor at Madison Middle, while her husband,

Dr. Perry Revels is employed as the principal of Madison Middle, since she was employed at Madison Middle for 13 years prior to her husband's hire as principal. The Board further concluded that Section 1112B(1) of the Code of Governmental Ethics prohibits Dr. Perry Revels from participating in any transactions in which Dr. Rebecca Revels has a substantial economic interest. The Board approved the proposed disqualification plan.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G15-G17 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 G15-G17, taking the following action:

The Board considered an answer to a Notice of Delinquency in Docket No. 21-1053 filed by Ronald Gonsoulin, a member of the Iberia Parish Levee, Hurricane and Conservation District. On motion made, seconded and unanimously passed, the Board instructed staff to advise Mr. Gonsoulin that he is not required to file a 2020 Tier 2.1 personal financial disclosure statement since the Iberia Parish Levee, Hurricane and Conservation District is not active and did not expend, disburse or invest any funds.

The Board considered a staff memorandum in Docket No. 22-376 regarding the filing of a Section 1115.2 disclosure statement by State Senator Glen Womack. On motion made, seconded and unanimously passed, the Board concluded that Senator Womack is not required to file the 1115.2 disclosure statement since he was a guest speaker and Section 1123(13) of the Code of Governmental Ethics allows the acceptance of such with no disclosure requirement.

The Board considered an answer to a Notice of Delinquency in Docket No. 22-381 filed by Sue Soileau Brignac Durand. On motion made, seconded and unanimously passed, the Board

concluded that based on Ms. Durand's medical condition, she does not have to file her final report, the 2020 Tier 2.1 personal financial disclosure statement.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board agreed to take action on items G18-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 items G18-G28, excluding items G22 and G24 taking the following action:

The Board considered a consent opinion in Docket No. 20-883 executed by Bernard Daniels and Joseph Daniels, who each admitted to a violation of Section 1119A of the Code of Governmental Ethics and each agreed to pay a \$250 civil penalty; and, Eugene Foulcard, who admitted to a violation of Section 1119D of the Code of Governmental Ethics and agreed to pay a \$1500 civil penalty.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered an assessment of an enhanced penalty in Docket No. 21-173 regarding Matthew Sias, Jr., a candidate for Lafayette City Council, District 1, Lafayette Parish, in the October 12, 2019 election, failing to file a 10-G campaign finance disclosure report. On motion made, seconded and unanimously passed, the Board instructed staff to assess a civil penalty in accordance with Section 1505.4A(4)(b) of the Campaign Finance Disclosure Act in the amount of \$10,000.

The Board considered a consent opinion in Docket No. 21-346 executed by Dr. James Gilmore admitting to a violation of Section 1113B 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.

The Board considered a consent opinion in Docket No. 21-348 regarding a variance application submitted to the City of Hammond by Tracy Washington Wells while her husband,

Devon Wells, served as an elected member of the Hammond City Council. Ms. Wells executed the consent opinion admitting to a violation of Section 1113A of the Code of Ethics. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered the assessment of enhanced penalties in Docket No. 21-1015 regarding Jeremy A. Chesteen, a candidate for St. Mary Parish Councilmember At-Large, District 10, in the October 12, 2019 election, failing to file 10-P, 10-G and 40-G campaign finance disclosure reports. On motion made, seconded and unanimously passed, the Board instructed the staff to assess civil penalties in accordance with Sections 1505.4A(4)(a) and 1505.4A(4)(b) of the Campaign Finance Disclosure Act in the amount of \$10,000 for each report, for a total of \$30,000.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered the assessment of an enhanced penalty in Docket No. 22-114 regarding Kevin Bates, a candidate for State Representative, 20th District, in the November 6, 2018 election, failing to file a 2020 supplemental campaign finance disclosure report. On motion made, seconded and unanimously passed, the Board instructed the staff to assess a civil penalty in accordance with Section 1505.4A(4)(b) of the Campaign Finance Disclosure Act in the amount of \$10,000.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered the assessment of an enhanced penalty in Docket No. 22-199 regarding Scotty Waggoner, candidate for Public Service Commission, District 5, in the November 3, 2020 election, failing to file a 90-P campaign finance disclosure report. On motion made, seconded and unanimously passed, the Board instructed the staff to assess a civil penalty in accordance with Section 1505.4A(4)(a) of the Campaign Finance Disclosure Act in the amount of \$10,000.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered the assessment of an enhanced penalty in Docket No. 22-217 regarding Bart E. Liles, a

candidate for Coroner, Grant Parish, in the November 3, 2020 election, failing to file a 30-P campaign finance disclosure report. On motion made, seconded and unanimously passed, the Board instructed the staff to assess a civil penalty in accordance with Section 1505.4A(4)(a) of the Campaign Finance Disclosure Act in the amount of \$10,000.

The Board considered an emergency advisory opinion in Docket No. 22-433 regarding Scott Saunier, the former Chief Administrative Officer for Iberia Parish, being appointed to a vacant position on the Iberia Parish Council. On motion made, seconded and unanimously passed, the Board confirmed the emergency advisory opinion concluding that the Code of Governmental Ethics does not prohibit Mr. Saunier from being appointed by the Iberia Parish Council to a vacant position on the Parish Council.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered the assessment of an enhanced penalty in Docket No. 21-1013 regarding Tyjuana Smith, a candidate for East Baton Rouge Parish Metro Council, District 7, in the November 3, 2020 election, failing to file a 10-G campaign finance disclosure report. On motion made, seconded and unanimously passed, the Board closed the file since the report was filed.

The Board considered an advisory opinion request in Docket No. 22-012 from Jeffery J. Thomas, with Equity Media, as to the rehiring of New Orleans City Council member Oliver Thomas as a WBOK radio talk show host. On motion made, seconded and unanimously passed, the Board concluded that Section 1111(C)(2)(d) of the Code of Governmental Ethics prohibits Oliver Thomas from providing compensated services to Equity Media, while Equity Media has a contractual, business, or financial relationship with the City of New Orleans. Further, Section 1117 of the Code of Governmental Ethics prohibits Equity Media from paying compensation to Oliver Thomas, while the City of New Orleans has a contractual, business, or financial relationship with Equity Media.

Kathleen Allen updated the Board on the legislation enacted during the 2022 Regular Legislative Session.

Kathleen Allen presented an Administrator's Report to the Board.

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 included in items G31-G34, 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 the G31-G34 excluding Docket Nos. 22-306, 22-385 and 22-370 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. 22-302 Mack Cormier, 30-P, 11 days late of a \$660 late fee;
Docket No. 22-395 LA Federation of Teachers PAC, Special, 15 days late of a \$3000 late fee;
and,
Docket No. 22-397 Frank Perez, 30-P, 8 days late of a \$480 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board unanimously reduced the campaign finance late fee to \$400 based on Rule 1205C; and, declined to waive the late fees against the following:

Docket No. 22-396 Kevin White, SUPP2019, 357 days late of a \$1,000 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a waiver request in Docket No. 22-306, for a waiver of a \$900 campaign finance late fee assessed against Steven Jackson, candidate for Mayor, City of Shreveport, in the November 6, 2018 election, whose 2020 Supplemental campaign finance disclosure report was filed 15 days late. On motion made, seconded and unanimously passed, the Board rescinded the \$900 late fee based on Rule 1205B(3) of the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board

considered a waiver request in Docket No. 22-385, for a waiver of a \$1,000 campaign finance late fee assessed against Bernie Woods, Sr., candidate for Councilman, District G, City of Shreveport, in the November 4, 2014 election, whose 2015 Supplemental campaign finance disclosure report was filed 19 days late. On motion made, seconded and unanimously passed, the Board declined to waive the late fee.

The Board unanimously suspended all of the late fees but \$1,000 based on future compliance with the reporting requirements under the Code of Governmental Ethics and payable within 20 days against the following:

Docket 21-683 Sam DiVittorio, 2018 Tier 3, 587 days late of \$1500 late fee.

The Board unanimously suspended all of the late fees but \$1,250 based on future compliance with the reporting requirements under the Code of Governmental Ethics and payable within 20 days against the following:

Docket No 22-360 Noli C. Guinigundo, 2019 Tier 2, 387 days late of a \$2,500 late fee.

The Board unanimously suspended all of the late fees based on future compliance with the reporting requirements under the Code of Governmental Ethics against the following:

Docket 22-361 Melvin Raymond Landry, III, 2019 Tier 3, 5 days late of a \$125 late fee;
Docket 22-362 Donald Ray Dejean, 2019 Tier 2.1, 6 days late of a \$300 late fee;
Docket 22-363 Sherry Shelvin Guidry, 2020 Tier 3, 7 days late of a \$175 late fee;
Docket 22-365 Columbus James Boston, 2019 Tier 3, 185 days late of a \$500 late fee;
Docket 22-367 Wanda Fay McCoy, 2020 Tier 3, 15 days late of \$375 late fee;
Docket 22-368 Anelita Burnzetta Jackson, 2019 Tier 2.1, 2 days late of \$100 late fee;
Docket 22-369 Wince Highshaw Jr., 2020 Tier 2, 9 days late of \$900 late fee; and,
Docket 22-372 Gregory "Killer" Galloway, 2020 Tier 2, 4 days late of \$400 late fee.

The Board unanimously suspended all of the late fees but \$1,050 based on future compliance with the reporting requirements under the Code of Governmental Ethics and payable within 20 days against the following:

Docket No. 22-364 Richard A Webre, 2019 Tier 2.1, 257 days late of a \$1,500 late fee.

The Board unanimously declined to waive all of the late fees and to offer a payment plan with the reporting requirements under the Code of Governmental Ethics against the following:

Docket No. 22-373, Morgan Debonea Carter, amended 2019 Tier 3, 7 days late of a \$175 late fee; and,

Docket No. 22-373, Morgan Debonea Carter, amended 2020 Tier 3, 7 days late of a \$175 late fee.

The Board considered a waiver request in Docket No. 22-370 for the \$2,500 late fee assessed against Trent Temples, candidate for City Prosecutor of Bogalusa/ Washington Parish, in the November 13, 2021 election, for failing to file his 2020 Tier 2 annual personal financial disclosure. On motion made, seconded and unanimously passed, the Board deferred the matter until the August meeting.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered an untimely waiver request in Docket No. 22-387 submitted by Kevin Guidry, a candidate for State Representative, 34th Representative District in the October 12, 2019 election, regarding a \$1,560 campaign late fee assessed for filing his 2020 Supplemental campaign finance disclosure report 26 days late. On motion made, seconded and unanimously passed, the Board declined to consider the untimely waiver request.

The Board considered a reconsideration of a waiver request in Docket No. 21-090 submitted by Grayson Linn "Lindy" Bolgiano, Jr., Youngsville City Council Member, Division B, Lafayette Parish, regarding a \$2,500 late fee assessed for filing his 2018 Tier 2 annual personal financial disclosure 394 days late. On motion made, seconded and unanimously passed, the Board reaffirmed the decision to decline to waive the late fee.

The Board considered a reconsideration of a waiver request in Docket No. 21-1034 regarding the Board's decision to decline to waive the \$600 and \$420 campaign finance late fees assessed against Leroy Daniels, a candidate for City Marshal, City Court, City of Bunkie in the November 3, 2020 election, whose 30-P and 10-P campaign finance disclosure reports were filed 28 and 7 days late, respectively. On motion made, seconded and unanimously passed, the Board reaffirmed the decision to decline to waive the late fees.

The Board considered the General Supplemental Agenda.

On motion made, seconded and unanimously passed, the Board approved the minutes of the June 2nd and June 3rd, 2022 meetings.

The meeting adjourned at 10:47 a.m.

Secretary

APPROVED:

Chairwoman