

LOUISIANA BOARD OF ETHICS  
MINUTES  
August 5, 2022

The Board of Ethics met on August 5, 2022 at 9:04 a.m. in the LaBelle Room on the 1<sup>st</sup> floor of the LaSalle Building located at 617 North Third Street, Baton Rouge, Louisiana with Board Members Baños, Couvillon, Ellis, Grand, Grimley, Lavastida, Roberts, Scott and Speer present. Board Members Bryant and Colomb were absent. Also present were the Ethics Administrator, Kathleen Allen; Executive Secretary, Carolyn Abadie Landry; and Counsel Tracy Barker, David Bordelon, Mallory Guillot, Suzanne Mooney and Charles Reeves.

Board Member Colomb arrived to the meeting at 9:11 A.M.

Grayson Linn “Lindy” Bolgiano, Jr., Youngsville City Council Member, appeared before the Board in Docket No. 21-090 to request that the Board waive the \$2,500 late fees assessed against him for filing his 2018 Tier 2 annual personal financial disclosure 394 days late. On motion made, seconded and unanimously passed, the Board suspended all but \$250 of the \$2,500 late fee based on future compliance.

District Judge Edward Adrian Adams, appeared before the Board in Docket No. 21-300 to request that the Board reconsider its decision to decline to waive all but \$200 of a \$480 campaign finance late fee assessed against him for the 30-P campaign finance disclosure report that was filed 8 days late. In its capacity as the Supervisory Committee on Campaign Finance Disclosure, on motion made, seconded and unanimously passed, the Board deferred the matter indefinitely.

The Board considered a request in Docket No. 22-097 that the Board reconsider its decision to reduce to \$1,000, and decline to waive, the \$2,500 campaign finance late fee assessed against Marlin N. Gusman, an unsuccessful candidate for Sheriff, Orleans Parish, in the October 9, 2021 election, whose 180-P campaign finance disclosure report was filed 92 days late. In its capacity as the Supervisory Committee on Campaign Finance Disclosure, on motion made, seconded and

unanimously passed, the Board reaffirmed the decision to reduce the \$2,500 late fee to \$1,000 based on Rule 1205C of the Rules for the Board of Ethics and to decline to waive since the filer failed to state good cause.

The Board considered an untimely request in Docket No. 22-117 to reconsider its decision to suspend all but \$200 of the \$2,000 campaign finance late fee assessed against Jamie R. Robinson, an unsuccessful candidate for Councilman, East Baton Rouge Parish, in the November 3, 2020 election, whose 10-G campaign finance disclosure report was filed 63 days late. In its capacity as the Supervisory Committee on Campaign Finance Disclosure, on motion made, seconded and unanimously passed, the Board considered the untimely request and rescinded based on Rule 1205B(2) of the Rules for the Board of Ethics.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G5-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 G5-G13, excluding item G8, G12 and G13 taking the following action:

The Board accepted the withdrawal of an advisory opinion request in Docket No. 22-075 regarding whether the Code of Governmental Ethics would prohibit the Mayor of Jean Lafitte, Timothy P. Kerner, Jr., from donating the use of a building he owns to function as City Hall for the next several years while repairs are made on Jean Lafitte City Hall, since neither Mayor Kerner nor any immediate family member no longer have an ownership interest in the property.

The Board accepted the withdrawal of an advisory opinion request in Docket No. 22-248 from Danny Asbell, Chairman of Sabine Parish EMS Advisory Committee, as to whether the Code of Governmental Ethics would permit an employee of the Sabine Medical Center to serve as a member on the Committee, since circumstances giving rise to the questions presented are no longer present.

The Board considered an advisory opinion in Docket No. 22-408 submitted by Ronny Zaunbrecher, regarding his potential service on the Broadmoor Gravity Drainage District while continuing his employment with the Louisiana Department of Agriculture and Forestry. On motion made, seconded and unanimously passed, the Board concluded that based on the facts presented, the Code of Governmental Ethics does not prohibit Mr. Zaunbrecher from serving on the District while continuing his employment with the Louisiana Department of Agriculture and Forestry.

The Board considered an advisory opinion request in Docket No. 22-421 submitted by Arita Bohannon, on behalf of Gregory Carroll, related to the post-employment restrictions following Mr. Carroll's service as a member of the Kenner City Council. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits Mr. Carroll from being employed by the City of Kenner for a period of two years following his services as a member of the Kenner City Council.

The Board considered an advisory opinion request in Docket No. 22-448 from Christophe Pilut with the Lafayette International Center regarding performing translations services for the City of New Iberia. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Mr. Pilut from entering into a transaction with the City of New Iberia for translation services.

The Board considered an advisory opinion request in Docket No. 22-450 regarding Lauren Knight, former member of the Lycée Français de la Nouvelle-Orléans Charter School, and owner of Pelican Playgrounds, LLC, selling playground equipment to a non-profit at cost and then the non-profit donating it to the charter school. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics would not prohibit La Liaison du Lycée Français de la Nouvelle-Orléans from purchasing, at cost, equipment from Pelican Playgrounds, LLC

to donate to Lycée Français de la Nouvelle-Orléans Charter School, provided that Lauren Knight and Pelican Playgrounds, LLC receives no compensation or profit from the transaction.

The Board considered an advisory opinion request in Docket No. 22-409 regarding whether the Code of Governmental Ethics would prohibit Robert I. Lawrason, III from serving as a St. Bernard Parish School Board member and maintaining a lawsuit against the St. Bernard Parish School Board. On motion made, seconded and unanimously passed, the Board concluded that if Robert I. Lawrason, III is elected to the school board and the litigation is still ongoing at the time he is sworn into office, the Code of Governmental Ethics does not prohibit him from serving as a St. Bernard School Board member and maintaining the lawsuit against the St. Bernard Parish School Board.

The Board considered an advisory opinion request in Docket No. 22-466 from the Louisiana Office of Financial Institutions (OFI) regarding whether the Code of Governmental Ethics would prohibit OFI from contracting with Louisiana Interactive, LLC d/b/a NIC Louisiana (LAI) to redesign and maintain its website. On motion made, seconded and unanimously passed, the Board concluded that based on the facts presented, the Code of Governmental Ethics does not prohibit OFI from contracting with LAI to redesign and maintain its website.

The Board considered an advisory opinion request in Docket No. 22-468 regarding whether a member of the East Baton Rouge City Parish Council may receive a thing of economic value for services render to Franciscan High School at a time when Franciscan High School administers a work study program through FBR Work Study Program, Inc. that places students to work with the East Baton Rouge City Parish Government. On motion made, seconded and unanimously passed, the Board deferred the matter in order to get more information and clarification.

The Board considered a Personal Financial Disclosure Answer in Docket No. 22-419 filed by members of the Louisiana Military Advisory Council in response to notices of delinquency received

requesting they file their 2020 Tier 2.1 personal financial disclosures. On motion made, seconded and unanimously passed, the Board advised members of the Military Advisory Council that they are not required to file annual personal financial disclosure statements pursuant to Section 1124.2.1 of the Code of Governmental Ethics.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the July 7<sup>th</sup> and 8<sup>th</sup>, 2022 meetings.

The Board considered the proposed consent opinions in Docket No. 17-1219 regarding Chastity Livingston and Yvette Robinson, former employees of Grambling State University. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinions for Chastity Livingston and Yvette Robinson. The Board instructed staff to dismiss charges pending before the Ethics Adjudicatory Board.

The Board considered the proposed consent opinions in Docket No. 20-876 for Justin Childress and State Line Vacuum Services, LLC relating to violations of Sections 1111C(2)(d), 1112B(3) and 1117 of the Code of Governmental Ethics. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinions for Justin Childress and State Line Vacuum Services, LLC.

The Board considered the proposed consent opinion in Docket No. 21-139 for Emergent Method, LLC relating to a violation of Section 1117 of the Code of Governmental Ethics. On motion made, seconded and unanimously passed, the Board moved to defer the matter.

Kathleen Allen presented an Administrator's Report to the Board on the following:

1. Update on board member annual training on the Code of Governmental Ethics and Preventing Sexual Harassment.

2. Update on staff's research efforts on crypto-currency in response to HR 180 of the 2022 Regular Legislative Session. There will be a detailed report at the next meeting.

Discussion took place on consideration of revisions of the Personal Financial Disclosure Waiver Guidelines.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a waiver request in Docket No. 22-384 regarding the \$1,200 and \$2,000 campaign finance late fees assessed against Northshore Home Builders Association PAC, a political action committee, its committee's chairperson, John Bruhl, and treasurer, David Koster, whose October 2020 and November 2021 Monthly campaign finance reports were filed 6 and 10 days late, respectively. On motion made, seconded and unanimously passed, the Board instructed the staff to rescind the late fee for October 2020 report, based on Rule 1205B(3) and to decline to waive the late fee for the November 2021 report.

The Board considered a waiver request in Docket No. 22-400 submitted by Crystal D. Younger, Louisiana Licensed Professional Vocational Rehabilitation Counselors Board of Examiners, regarding a \$1100 late fee assessed for filing her amended 2019 Tier 2.1 annual personal financial disclosure 22 days late and a \$1500 late fee assessed for filing her amended 2020 Tier 2.1 annual personal financial disclosure 97 days late. On motion made, seconded and unanimously passed, the Board suspended all of the \$1,100 late fee based on future compliance for the 2019 Tier 2.1 disclosure, and suspended all but \$450 of the \$1,500 late fee for the 2020 Tier 2.1 disclosure based on future compliance with the reporting requirements under the Code of Governmental Ethics.

The Board considered a waiver request in Docket No. 22-401 submitted by Floyd Davis, Constable, 7th Justice Court, Jefferson Parish, regarding a \$1,800 late fee assessed for filing his amended 2019 Tier 2 annual personal financial disclosure 18 days late and a \$500 late fee assessed

for filing his amended 2020 Tier 2 annual personal financial disclosure 5 days late. On motion made, seconded and unanimously passed, the Board rescinded both late fees based on Rule 1205B(3).

The Board considered a waiver request in Docket No. 22-402 submitted by Fidelia Jackson-Grayer, unsuccessful candidate for the Boyce Board of Alderman, Rapides Parish, in the November 13, 2021 election, regarding a \$500 late fee assessed for filing her Tier 3 candidate personal financial disclosure 125 days late. On motion made, seconded and unanimously passed, the Board declined to waive the late fee.

The Board considered a waiver request in Docket No. 22-403 submitted by Larry Johnson, the former Constable, Justice of the Peace, Ward 6, Iberville Parish, regarding a \$100 late fee assessed for filing his 2020 Tier 2 annual personal financial disclosure 1 day late. 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.

The Board considered a waiver request in Docket No. 22-422 submitted by Brenda Hubbard-Thomas, former member of the St. Landry Parish Economic Development District, regarding a \$1,500 late fee assessed for filing her amended 2019 Tier 2.1 annual personal financial disclosure 103 days late. 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.

The Board considered a waiver request in Docket No. 22-423 submitted by Carmen Cetnar, former member of the Developmental Disabilities Council, regarding a \$1,500 late fee assessed for filing her amended 2019 Tier 2.1 annual personal financial disclosure 116 days late. 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.

The Board considered a request to reconsider the decision in Docket No. 21-809 regarding the its decision to decline to waive a \$600 campaign finance late fee assessed against C. Sherburne

Sentell, unopposed candidate for City Judge, City Court, City of Minden, Webster Parish, in the November 3, 2020 election, whose 30-P campaign finance disclosure report was filed 10 days late. On motion made, seconded and unanimously passed, the Board deferred the matter to get more information.

The meeting adjourned at 11:04 A.M.

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Secretary

APPROVED:

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Chairwoman