

LOUISIANA BOARD OF ETHICS  
MINUTES  
January 7, 2022

The Board of Ethics met on January 7, 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 Bãnos, Ellis, Grand, Lavastida, McAnelly, Scott and Speer present. Board Members Colomb, Couvillon and Roberts were absent. Also present were the Ethics Administrator, Kathleen Allen; Executive Secretary, Carolyn Abadie Landry; and Counsel Tracy Barker, David Bordelon, Charles Reeves, and Gregory Thibodeaux.

Board Member Colomb arrived at 9:05 a.m.

Earnest A. Burguieres, III, candidate for Council Member at Large, City of Mandeville, St. Tammany Parish, appeared before the Board requesting a waiver in Docket No. 20-861 in the July 11, 2020 election, whose 10-G campaign finance disclosure report was filed 8 days late. In its capacity as the Supervisory Committee on Campaign Finance Disclosure and after hearing from Mr. Burguieres, on motion made, seconded and unanimously passed, the Board reaffirmed its decision to decline to waive the \$320 campaign finance late fee and offered a payment plan.

Judge Lee V. Faulkner, Jr., appeared before the Board requesting the Board reconsider its decision in Docket No. 21-186 to decline to waive a \$480 campaign finance late fee assessed against him, a successful candidate for District Judge, 24th Judicial District Court, ES 3, Div. P, Jefferson Parish, in the November 3, 2020 election, whose 30-P campaign finance disclosure report was filed 8 days late. In its capacity as the Supervisory Committee on Campaign Finance Disclosure and after hearing from Judge Faulkner, on motion made, seconded and unanimously passed, the Board reaffirmed its decision to decline to waive the \$480 campaign finance late fee and offered a payment plan.

The Board deferred Docket No. 21-804 regarding a waiver request of the \$800 campaign finance late fee assessed against Stephanie Bridges, an unsuccessful candidate for Judge, Criminal District Court, Section K, Orleans Parish, in the November 3, 2020 election, whose 40-G campaign finance disclosure report was filed 8 days late.

Paul D. Escott, Assistant City Parish Attorney for Lafayette Consolidated Government, and Daniel Gauthier appeared before the Board in Docket No. 21-882 regarding an advisory opinion request on Act 340 of 2021 Regular Session and changes to Section 1123(34) of the Code of Ethics. After hearing from Mr. Escott and Mr. Gauthier, on motion made, seconded and unanimously passed, the Board deferred the matter to a future meeting.

The Board deferred Docket No. 21-1037 regarding an advisory opinion request from Richard L Traina, a former Assistant Attorney General, relative to providing legal services to his Department of Natural Resources after he left the Louisiana Department of Justice.

Robert J. Klein, Office of Technology Services (OTS) within Louisiana Division of Administration, appeared before the Board on an advisory opinion request in Docket No. 21-1000 regarding possible post retirement position with the Department of Education. On motion made, seconded and unanimously passed, the Board deferred the matter until the February meeting.

Board Member Ellis left the meeting at 10:36 a.m.

James Russell Fatic, St. Tammany Community Action Agency, appeared before the Board on an untimely waiver request in Docket No. 21-551 regarding a \$1,500 late fee assessed for filing his 2018 Tier 2.1 Annual personal financial disclosure 489 days late. On motion made, seconded and unanimously passed, the Board considered the untimely request. After hearing

from Mr. Fatic, on motion made, seconded and unanimously passed, the Board suspended all but \$1050 late fee based on future compliance and to allow a payment plan.

J. T. Allen, Treasurer, representing Judge D. Nicole Sheppard appeared before the Board in Docket No. 21-461 regarding 1) a request that the Board waive the \$1,000 and \$200 campaign finance late fees assessed against D. Nicole Sheppard, a successful candidate for Judge, Traffic Court, Division D, Orleans Parish, in the October 19, 2013 election, whose 2017 and 2019 Supplemental campaign finance disclosure reports were filed 28 and 2 days late, respectively, and 2) a request that the Board waive a \$200 campaign finance late fee assessed against D. Nicole Sheppard, a successful candidate for Judge, Civil District Court, Division J, Orleans Parish in the October 14, 2017, whose 2019 Supplemental campaign finance disclosure report was 2 days late. After hearing from Mr. Allen, on motion made, seconded and unanimously passed, the Board deferred the matter until the June 3, 2022 Board meeting.

The Board recessed at 10:51 a.m. and returned at 11:06 a.m.

Board Member Ellis returned to the meeting at 11:00 a.m.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G7-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 G7-G17, excluding item G9, G10, G13 and G14 taking the following action:

The Board declined to render an advisory opinion in Docket No. 21-410 from Corey Oubre, Director of Legal Services for St. Charles Parish, relative to St. Charles Parish entering into a cooperative endeavor agreement with P.A.C.E., a non-profit corporation of which St.

Charles Parish President, Matthew Jewell is an officer. The Board declined to render an opinion since the facts presented appear to involve past conduct in that, St. Charles Parish Council approved a Cooperative Endeavor Agreement on May 17, 2021.

The Board declined to render an advisory opinion in Docket No. 21-713 from C. Kyle Mosley, Chief of Cullen Fire Department, regarding whether he may promote his brother to Assistant Chief. After careful consideration of all information submitted and multiple attempts were made to obtain additional information without success, the Board declined to render an opinion due to lack of information.

The Board considered an advisory opinion request in Docket No. 21-901 from Becky Reeves, on behalf of the LSU Lallie Kemp Medical Center (the "Center"), as to whether the Center's employees may accept food gifts from vendors of the Center. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics would permit employees of the Center to accept food, drink and refreshment from a vendor of the Center, provided that (1) the cost of the food, drink and refreshment does not exceed sixty-five dollars per employee, and (2) that the food, drink and refreshment is consumed at an event at which the vendor is present.

The Board considered an advisory opinion request in Docket No. 21-923 from Harry L. "Chip" Cahill, Attorney for the Town of Grand Isle in Jefferson Parish, regarding the post-employment restrictions for former Police Chief Laine Landry. On motion made, seconded and unanimously passed, the Board concluded that Section 1121A(1) of the Code of Governmental Ethics does not prohibit Laine Landry from providing contractual service to the Town of Grand Isle, as long as the services do not involve the Grand Isle Police Department.

The Board considered an advisory opinion request in Docket No. 21-994 regarding whether the Code of Governmental Ethics (Code) would require Brian Boney to take a leave of absence from his position as a part-time police officer in Tullos, Louisiana while running for election for Police Chief of Ball. On motion made, seconded and unanimously passed, the Board concluded that the Code would not require Mr. Brian Boney to take a leave of absence from his position as a part-time police officer in Tullos Louisiana, while running for election for Police Chief of Ball. The Board also concluded that Mr. Boney may want to seek guidance from the Louisiana Attorney General's Office on the application of the Dual Office Holding Laws if elected.

The Board considered an advisory opinion request in Docket No. 21-1022 from Sheena Johnson, former Vocational Rehabilitation Counselor, for the Louisiana Rehabilitation Services program within the Louisiana Workforce Commission (LWC) regarding her post-employment restrictions. On motion made, seconded and unanimously passed, the Board concluded that Section 1121 of the Code of Governmental Ethics does not prohibit Sheena Johnson from contracting with LWC Region V to provide employment services, provided those services are not being performed for LWC consumers Ms. Johnson assisted while employed by LWC Region V.

The Board considered an advisory opinion request in Docket No. 21-845 from Kurt Evans, relative to whether Mr. Evans' company, Digital Engineering, could contract with Atlas Technical Consultants, LLC, (ATC) an entity that employs Matt Butler, who serves on the Baton Rouge Metropolitan Airport Commission (BOC) while Digital Engineering has entered into a contract with BOC. On motion made, seconded and unanimously passed, the Board concluded that Section 1111C(2)(d) of the Code of Governmental Ethics would not prohibit Matt Butler

from being employed with ATC, at a time when Mr. Butler serves as a member of the BOC and ATC has a contractual arrangement with Digital Engineering, which has or is seeking to have a contractual, business or financial relationship with the BOC, provided that services performed by ATC do not involve projects associated with the BOC.

The Board considered an advisory opinion request in Docket No. 21-847 regarding whether Michael Rich is prohibited from serving as the financial advisor on Troy Ingram's retirement account while Mr. Ingram serves as the contract attorney for the St. Tammany Fire Protection District No. 1 and Mr. Rich serves as one of its Commissioners. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits Mr. Rich from providing compensated financial advisor services to Troy Ingram while Troy is the contract attorney for the St. Tammany Fire Protection District No. 1 and while Mr. Rich serves as a member of the St. Tammany Fire Protection District No. 1 Board of Commissioners.

The Board considered an advisory opinion request in Docket No. 21-975 regarding whether the Code of Governmental Ethics would require New Iberia Mayor Pro Tem Ricky Gonsoulin to recuse himself from discussing and voting on the annexation of an 11-acre tract of land which is currently leased to his family business, Gonsoulin Farms. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits Ricky Gonsoulin from voting on the City's annexation of the 11-acre tract of land leased to Gonsoulin Farms, L.L.C. However, Section 1120 of the Code of Governmental Ethics allows Mr. Gonsoulin to participate in the discussion of the annexation, provided he discloses on the record the nature of his conflict prior to his participation in the discussion.

The Board considered an approval of a disqualification plan in Docket No. 21-988 from Fire Chief Chad Major, relative to the employment of brothers, Jared Robertson and Jerome Robertson. On motion made, seconded and unanimously passed, the Board deferred the matter until after today's executive session.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the December 2<sup>nd</sup> and December 3<sup>rd</sup>, 2021 meetings along with the amended portion that was included in their handouts for December 3<sup>rd</sup>, 2021 Executive Minutes.

The Board considered a proposed consent opinion relative to nepotism involving Dwayne Sanner, Manager/Director of the Hackberry Recreation Center. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion.

The Board considered a proposed consent opinion in Docket No. 20-588 regarding Jill Cowart, former Assistant Superintendent for the Office of Academic Content for the Department of Education. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion.

The Board considered a proposed consent opinion in Docket No. 20-719 regarding Aimye Dugas with the Iberia Parish School Board while her brother-in-law, Dana Dugas, serves as an Iberia Parish School Board member. 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 a waiver request in Docket No. 21-644, for a waiver of the \$540 campaign finance late fee assessed against Brady Dennis O'Callaghan, successful candidate for District Judge, 1<sup>st</sup> Judicial District Court, ES 2, Div. H, Caddo Parish, in the November 3, 2020 election, whose 30-

P campaign finance disclosure report was filed 9 days late. On motion made, seconded and unanimously passed, the Board declined to waive the late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a waiver request in Docket No. 21-832, for a waiver of the \$1,000 campaign finance late fee assessed against Marie Williams, an unsuccessful candidate for Judge, Juvenile Court, Section A, Orleans Parish and her committee's chairperson, Betty Williams, and treasurer, Armin Williams, in the November 3, 2020 election, whose 10-G campaign finance disclosure report was filed 13 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. 21-976, for a waiver of the \$800 late fees assessed against Amanda Derise for the late filing of her 2021 Lobbying Registration. On motion made, seconded and unanimously passed, the Board waived the late fee.

The Board considered a waiver request in Docket No. 21-981, for a waiver of the \$50 late fees assessed against Edward Shanklin for the late filing of his September 2021 Lobbying Expenditure Report. On motion made, seconded and unanimously passed, the Board waived the late fee.

The Board unanimously agreed to take action on the requests for “good cause” waivers of late fees assessed against individuals contained in the Personal Financial Disclosure Waiver Chart 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 Personal Financial Disclosure Waiver Chart, excluding Docket Nos. 21-496, 21-691, 21-888 and 21-917 taking the following action:



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

Docket 21-909 Jamie Huval, 2019 Tier 3, 13 days late of a \$325 late fee;  
Docket 21-909 Jamie Huval, 2020 Tier 3, 13 days late of a \$325 late fee;  
Docket 21-911 Ervin Wilson Sr. 2019 Tier 3, 28 days late of a \$500 late fee;  
Docket 21-911 Ervin Wilson Sr. 2020 Tier 3, 28 days late of a \$500 late fee  
Docket 21-913 Gwendolyn Carter, 2019 Tier 2.1, 8 days late of a \$400 late fee;  
Docket 21-985 Pamela Bloxom, 2019 Tier 3, 5 days late of a \$125 late fee; and,  
Docket 21-985 Pamela Bloxom, 2020 Tier 3, 5 days late of a \$125 late fee.

The Board waived the late fees for the following:

Docket 21-912 David Bates, 2019 Tier 2.1, 61 days late of a \$1,500 late fee; and,  
Docket 21-983 Levi Lewis Sr., 2019 Tier 2, 189 days late of a \$2,500 late fee.

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

Docket 21-914 Nolan Marshall III, 2015 Tier 2.1, not filed of a \$1,500 late fee.

The Board considered a request in Docket No. 21-496 for a waiver of the \$1,500 late fee assessed against Verna C. "Teta" Smith, Jean Lafitte Town Council /Jefferson Parish, for filing her 2015 Tier 3 Annual personal financial disclosure statements 1,655 days late. On motion made, seconded and unanimously passed, the Board suspended all but \$500 based on future compliance.

The Board considered a request in Docket No. 21-691 for a waiver of the two \$1,500 late fees assessed against Tabitha Bell, Louisiana Achievement Charter Academies, for filing her 2018 and 2019 Tier 3 Annual personal financial disclosure statements 257 and 74 days late respectively. On motion made, seconded and unanimously passed, the Board suspended in each case all but \$500 based on future compliance and to offer a payment plan.

The Board considered a request in Docket No. 21-888 for a waiver of the \$1,500 late fee assessed against Barry Ray Purcell, successful candidate for Constable / Oil City / Ward 2 / Caddo Parish / in the November 3, 2020 election, for filing his 2019 Tier 3 Annual personal

financial disclosure statements 140 days late. On motion made, seconded and unanimously passed, the Board declined to waive the late fee.

Board Member Ellis stepped out at 11:45 a.m.

The Board considered a request in Docket No. 21-917 for a waiver of the \$2,500 late fee assessed against Alvin Thomas, Jr., Ascension Parish Council / District 1, for his 2019 Tier 2 Annual personal financial disclosure statement that was filed 240 days late. On motion made, seconded and unanimously passed, the Board suspended all but \$650 based on future compliance and to offer a payment plan.

The Board considered an untimely waiver request of the \$480 and \$2,000 campaign finance late fees in Docket No. 21-427 assessed against Elzey J. "Jeff" Perilloux, an unsuccessful candidate for District Judge, 40th Judicial District Court, ES 1, Div. B, St. John the Baptist Parish, in the November 3, 2020 election, whose 30-P and 10-G campaign finance disclosure reports were filed 8 days late and not filed, respectively. On motion made, seconded and unanimously passed, the Board considered the request. On motion made, seconded and unanimously passed, the Board reaffirmed the decision to decline to waive.

The Board considered an untimely waiver request of the \$2,500 late fee in Docket No. 21-916 assessed against Jeffrey A. Free, candidate for Bossier City Council, District 4 in the March 20, 2021 election, for filing his 2020 Tier 2 Annual personal financial disclosure statement 229 days late. On motion made, seconded and unanimously passed, the Board considered the request. On motion made, seconded and unanimously passed, the Board suspended all but \$1,000 based on future compliance with the Code of Governmental Ethics.

The Board considered an untimely waiver request of a \$1,500 late fee in Docket No. 21-984 submitted by Darrell D. Sims, Madison Parish School Board / District 5, for filing his 2016

Tier 3 Annual personal financial disclosure 170 days late. On motion made, seconded and unanimously passed, the Board considered the untimely request. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee.

The Board considered a reconsideration of a waiver request in Docket No. 20-641 regarding a \$400 campaign finance late fee assessed against Randy Armentor, a candidate for Police Juror, District 10, Calcasieu Parish, in the October 12, 2019 election, whose 40-G campaign finance disclosure report was filed 13 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 the Board's decision to suspend all but \$650 of a \$1,500 late fee in Docket No. 21-227 assessed against Roxanna F. Foret, a member of the Human Rights Commission, for filing her 2018 Tier 2.1 Annual personal financial disclosure statement 148 days late. On motion made, seconded and unanimously passed, the Board suspended all but \$250 based on future compliance.

The Board considered a reconsideration of a waiver request in Docket No. 21-436 regarding a \$480 campaign finance late fee assessed against Charles Christian Thomas Guillory, a successful candidate for Assessor, Evangeline Parish, in the October 12, 2019 election, whose 10-G campaign finance disclosure report was filed 8 days late. On motion made, seconded and unanimously passed, the Board reaffirmed the decision to decline to waive the late fee.

Board Member Ellis returned at 12:02 p.m.

The Board considered General Supplemental GS1 reviewing a letter regarding additional suggestions for legislation for 2022 Legislative Session. The Board took no action.

The Board unanimously resolved into executive session at 12:07 p.m. to consider complaints and reports deemed confidential pursuant to Section 1141 of the Code of

Governmental Ethics.

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**EXECUTIVE SESSION**

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The Board unanimously resolved into general business session at 12:40 p.m.

The Board considered the request for approval of a disqualification plan in Docket No. 21-988 from Fire Chief Chad Major, Baton Rouge Fire Department, relative to the employment of brothers, Jared Robertson and Jerome Robertson. On motion made, seconded and unanimously passed, the Board deferred the matter until the February meeting.

The meeting adjourned at 12:44 p.m.

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Secretary

APPROVED:

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Chairman