

LOUISIANA BOARD OF ETHICS
MINUTES
February 2, 2024

The Board of Ethics met on February 2, 2024 at 9:01 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, Bryant, Colomb, Couvillon, Grand, Grimley, Lavastida, Roberts, Scott and Speer present. Board Member Ellis was absent. Also present were the Ethics Administrator, Kathleen Allen; the Executive Secretary, Carolyn Abadie Landry; and Counsel Tracy Barker, David Bordelon, Jessica Meiners, and Charles Reeves.

Dane S. Ciolino, counsel for Governor John Bel Edwards and Lori Mince, Attorney for the law firm Fishman Haygood LLP appeared before the Board in Docket No. 23-1076 regarding an advisory opinion request as to the propriety of Governor John Bel Edwards serving as “special counsel” for the law firm Fishman Haygood LLP after leaving public office. On motion made, seconded and unanimously passed, the Board instructed staff to draft an advisory opinion advising John Bel Edwards of the post-employment restrictions defined by Sections 1113D, 1121A and 1121D of the Code of Governmental Ethics. Also, the Board instructed staff to return it to the March agenda for its consideration, of the proposed draft advisory opinion.

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

Patrick Ottinger with Ottinger Hebert LLC appeared before the Board in Docket No. 23-1067 regarding an advisory opinion request regarding his appointment as City-Parish Attorney for Lafayette Consolidated Government, as well as his appointment of Assistant City-Parish Attorneys from his firm. On motion made, seconded and unanimously passed, the Board deferred until later in the meeting.

The Board considered an advisory opinion request in Docket No. 24-015 on behalf of Public Radio Inc. regarding a consulting contract with Paul Maassen, an employee of the University of New Orleans. On motion made, seconded and unanimously passed, the Board concluded that the proposed consulting contract between Public Radio Inc. and Paul Maassen meets the requirements of Section 1123(9)(b) of the Code of Governmental Ethics and presents no potential violation.

Ms. Alesia Ardoin, attorney representing Antiqua Hunter, an employee of the Louisiana Department of Education, appeared before the Board requesting an advisory opinion in Docket No. 23-855 regarding Ms. Hunter's outside employment providing educational consulting services. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Ms. Hunter from providing tutoring and mentoring services to individual students, parents, teachers, or principals. Additionally, the Code of Governmental Ethics does not prohibit Ms. Hunter from providing training workshops/seminars and performing public speaking to local school districts on various topics unrelated to homelessness or parent and family engagement. The Board instructed Ms. Hunter to seek an updated advisory opinion if providing services to a potential client presents a possible violation of the Code of Governmental Ethics.

Patrick Ottinger with Ottinger Hebert LLC, appeared before the Board in Docket No. 23-1067 regarding an advisory opinion request regarding his appointment as City-Parish Attorney for Lafayette Consolidated Government, as well as his appointment of Assistant City-Parish Attorneys from his firm. Additional information was provided that the city would appoint the assistant parish attorneys and the city's chief administrative officer would handle the billing issues. On motion made, seconded and unanimously passed, the Board concluded that based on

the additional information provided, no potential violation of the Code of Governmental Ethics is presented by Mr. Ottinger's appointment as City-Parish Attorney, or by the appointment of any attorney employed at Ottinger Hebert LLC as an Assistant City-Parish Attorney.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G3-G10 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-G10, excluding item G3, taking the following action:

The Board considered an advisory opinion request in Docket No. 23-938 regarding Glenda Bryan being appointed to Youngsville City Council when her husband has a contract with the city. On motion made, seconded and unanimously passed, the Board declined to render an opinion due to insufficient information.

The Board considered a proposed disqualification plan in Docket No. 23-969 regarding Adam Marcantel, Civil Service Director for Lafayette Consolidated Government relating to the potential employment of Mr. Marcantel's son, Alexander Marcantel. On motion made, seconded and unanimously passed, the Board approved the proposed disqualification plan since it meets the requirements of the Board's Rules pursuant to Louisiana Administrative Code Title 52, Chapter 14, Section 1402.

The Board considered a proposed disqualification plan in Docket No. 23-1023 regarding the appointment of Dr. Glen Gentry as Interim Regional Director for the Southeast Region of the LSU Agricultural Center ("AgCenter") Extension, and his spouse, Dr. Donna Gentry, an AgCenter employee in the Southeast Region. On motion made, seconded and unanimously

passed, the Board approved the proposed 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. 23-1036 regarding the Louisiana Environmental Education Commission receiving grant funding and unsolicited donations. On motion made, seconded and unanimously passed, the Board declined to render an opinion and instructed staff to refer Ms. Maygarden to the Attorney General’s office.

The Board considered an advisory opinion request in Docket No. 23-1069 from Chad Nepveaux, Director of Lafayette Consolidated Government Public Works Department (“PWD”), relating to the application of the post-employment provisions. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits Mr. Nepveaux, for a period of two years following his retirement date, from assisting another person, for compensation, in a transaction, or in an appearance with a transaction, involving PWD or from rendering any service on a contractual basis to or for PWD. Furthermore, Mr. Nepveaux is prohibited, for a period of two years following his retirement date, from assisting another person, for compensation, in a transaction, or in an appearance with a transaction, in which he participated during his public employment, or from rendering any service to PWD which he rendered during the term of his public employment. Therefore, so long as he is providing services to a governmental entity other than PWD, the Code of Governmental Ethics would permit his future endeavors as he described.

The Board considered an advisory opinion request in Docket No. 23-1070 regarding Richard Raynie, a former employee of the Coastal Protection and Restoration Authority (“CPRA”) being employed with the U.S. Army Corps of Engineers. On motion made, seconded and unanimously passed, the Board concluded that Section 1121B(1) of the Code of

Governmental Ethics does not prohibit Richard Raynie from being employed with the U.S. Army Core of Engineers within two years of his retirement from the CPRA.

The Board considered an advisory opinion request in Docket No. 23-1077 regarding whether the Code of Governmental Ethics prohibits Allie DeLeo-Allen from providing services to Louisiana Tech University's Innovation Enterprise Division following her retirement from Louisiana Tech University. On motion made, seconded and unanimously passed, the Board concluded that Section 1121(B)(1) does not prohibit Allie DeLeo-Allen or DKB Solutions, LLC, from providing services to Louisiana Tech University's Innovation Enterprises Division to help establish a grant writing program.

The Board considered an advisory opinion request in Docket No. 23-929 from James Carinio, Jr, a former employee of Louisiana Rehabilitation Services (“LRS”), regarding his post-employment restrictions as a Job Placement Vendor. On motion made, seconded and passed by a vote of 9 yeas by Board Members Baños, Bryant, Colomb, Couvillon, Grand, Grimley, Lavastida, Roberts and Scott and 1 nay by Board Member Speer, the Board concluded that Section 1121B(1) prohibits Mr. Carinio, for a period of two years from September 8, 2023, from rendering job placement services on a contractual basis with the Shreveport Regional Office of LRS.

The Board considered a Personal Financial Disclosure Answer in Docket No. 23-1071 filed by the members of the Louisiana Fire and Emergency Training Commission as to whether they are required to file Annual personal financial disclosures pursuant to Section 1124.2.1 of the Code of Governmental Ethics. On motion made, seconded and unanimously passed, the Board advised the commission that they are not required to file 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 January 4 and January 5, 2024 meetings.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G13-G18 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 G13-G18, taking the following action:

The Board considered a consent opinion in Docket No. 18-1180 regarding Terry Campbell, former Executive Director of the Lake Providence Housing Authority. Mr. Campbell signed the consent opinion agreeing he violated Section 1112B(1) of the Code of Governmental Ethics with a civil penalty of \$500. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion and dismissed charges against Terry Campbell and George Carraway.

The Board considered a consent opinion in Docket No. 22-091 regarding Paula Rush, the former Executive Director of Housing Authority of New Roads, receiving a thing of economic value that she was not duly entitled to receive for the performance of her job duties and responsibilities. Ms. Rush signed a consent opinion for violation of Section 1111A of the Code of Governmental Ethics. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion and dismissed the charges pending before the Ethics Adjudicatory Board.

The Board considered a consent opinion in Docket No. 22-191 regarding violations of the Code of Governmental Ethics by Byron Lewis and Gabriel Lewis Photography. Bryan Lewis,

who is the son of a JS Clark Leadership Academy Charter School board member, signed a consent opinion agreeing he violated Section 1113B of the Code of Governmental Ethics. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion.

The Board considered a consent opinion in Docket No. 22-331 regarding Dr. David Sobek, former employee of Louisiana State University. Dr. Sobek signed the consent opinion and agreed to a payment plan. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion and dismissed the charges pending before the Ethics Adjudicatory Board.

The Board considered a consent opinion in Docket No. 22-413 regarding Michael Arthur receiving extra-pay for providing security services to local businesses while on duty for the East Baton Rouge Parish Sheriff's office. Michael Arthur signed a consent opinion agreeing he violated Section 1111A of the Code of Governmental Ethics and paid a \$1200 penalty. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion and dismissed the charges pending before the Ethics Adjudicatory Board.

The Board considered a consent opinion in Docket No. 22-695 regarding Deanna McGee Carter's receipt of fees for processing payments of the water bills paid to the Village of North Hodge. Ms. Carter has signed the consent opinion agreeing she violated Section 1113A of the Code of Governmental Ethics with a civil penalty of \$1200. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion.

On motion made, seconded and unanimously passed, the Board moved discussion on G19 and G20 until the end of the meeting.

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 assessed against candidates and committees included in item G21, 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 G21, taking the following action:

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board unanimously reduced to \$600 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. 23-1007 from Charles Christian Thomas "Chris" Guillory, 30-P of a \$2,000 late fee;
- Docket No. 23-1008 from Stephen Gunn Mosgrove, 2022 SUPP of a \$2,000 late fee;
- Docket No. 23-1038 from Scott Meredith, 30-P of a \$660 late fee;
- Docket No. 23-1053 from Jeff Amendolia, 10-P of a \$840 late fee; and,
- Docket No. 23-1056 from Raymond Rouse, 30-P of a \$780 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. 23-1019 from James Fontenot, II, 2022 SUPP of a \$1,000 late fee;
- Docket No. 23-1039 from Steven Mark Ball, Jr., 30-P of a \$440 late fee; and,
- Docket No. 23-1044 from Vincent Alexander, 30-P of a \$520 late fee.

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. 23-1037 from Ronald Richard Denenea, III, 180-P of a \$2,500 late fee;
- Docket No. 23-1044 from Vincent Alexander, 10-P of a \$360 late fee;
- Docket No. 23-1054 from Danny Bordelon, 30-P of a \$560 late fee;
- Docket No. 23-1055 from Donnell Rose, 10-P of a \$720 late fee; and,
- Docket No. 23-1065 from Dadrius "D20" Lanus, 30-P late fee of a \$2,000 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. 23-1037 from Ronald Richard Denenea, III, 30-P of a \$400 late fee;

The Board considered a reconsideration request in Docket No. 23-621 regarding its decision to decline to waive the \$2,500 late fee assessed against Fa'Ron "Fee" K. Edward Richard, an unsuccessful candidate for Terrebonne Parish Council, District 1, in the March 25, 2023 election, for filing his amended 2022 Tier 2 candidate personal financial disclosure 106 days late. On motion made, seconded and unanimously passed, the Board suspended all based on future compliance.

Board Members Bryant, Couvillon, and Scott left the Board meeting at 10:55 a.m.

Kathleen Allen presented a handout and letter to the Board on Act 1 of the 2024 1st Extraordinary Legislative Session Proposed Recommendations. On motion made, seconded and unanimously passed, the Board instructed Ms. Allen to clean up the charts to show actual dates and amend the letter for distribution by Tuesday, February 6, 2024.

Board Member Couvillon returned to the Board meeting at 10:57 a.m.

Board Members Bryant and Scott returned to the Board meeting at 10:58 a.m.

Kathleen Allen presented to the Board a handout and draft letter for submission to the Legislature and the Governor on 2024 Proposed Legislative Recommendations from staff. On motion made, seconded and unanimously passed, the Board approved the letter with their recommended changes.

On motion made, seconded and unanimously passed, the Board adjourned at 1:43 p.m.

Secretary

APPROVED:

Chairwoman