

LOUISIANA BOARD OF ETHICS
MINUTES
June 3, 2022

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

The Board considered General Supplemental Agenda GS1.

Emalie A. Boyce, Director of the Division of Administrative Law, appeared before the Board to select an administrative law judge to serve as an alternate on the Ethics Adjudicatory Board. The name selected was Michelle Staggs.

Paul Bonin, on behalf of D. Nicole Sheppard, appeared before the Board in Docket No. 21-461 to 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. He also requested 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. Bonin, on motion made, seconded and unanimously passed, the Board declined to waive all late fees assessed against D. Nicole Sheppard.

Assistant City Attorney Richard Ray and Bossier City Mayor Tommy Chandler appeared before the Board in Docket No. 22-206 regarding an advisory opinion concerning the City Attorney for the City of Bossier City entering into a contract with the father of the City's Chief Administrative Officer, Amanda Nottingham. After hearing from Mr. Ray, Mayor Chandler and Ms. Nottingham, on motion made, seconded and unanimously passed, the Board instructed staff to write an advisory opinion noting that Ms. Nottingham is not the agency head of the legal department and that her father is not inhibited from being employed by the Bossier City Legal Department and to propose the draft at the July meeting.

Mary K Clulee, St. Charles Parish Councilwoman, appeared before the Board in Docket No. 22-257 regarding an advisory opinion request concerning a potential lease with the Federal Emergency Management Agency while she serves as councilwoman for District 11 of the St. Charles Parish Council. On motion made, seconded and unanimously passed, the Board deferred the matter until later in the meeting so Ms. Clulee could retrieve a document.

The Board took a recess from 10:58 A.M. to 11:05 A.M.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G5-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 G5-G17, excluding item G5, G9, G10, G11 and G12 taking the following action:

The Board allowed the withdrawal of an advisory opinion request in Docket No. 22-218 submitted by W. Thomas Barrett, III, regarding whether the Code of Governmental Ethics would prohibit a police juror for the Cameron Parish Police Jury from being hired as the Executive Director for the Cameron Parish Port Harbor and Terminal District.

The Board considered an advisory opinion in Docket No. 22-244 submitted by Dr. Latricia Kyle regarding prohibitions on running for elected office if she is employed by the Office of Juvenile Justice. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics will not prohibit Dr. Kyle from becoming a candidate in the upcoming election for Richland Parish School Board, in the event Dr. Kyle accepts employment with the Office of Juvenile Justice. The Board further advised that as a public servant, Section 1111A(1) of the Code of Governmental Ethics requires Dr. Kyle to campaign outside normal working hours and to take annual leave.

The Board considered an advisory opinion request in Docket No. 22-258 submitted by Daryl E. Blacher concerning whether the Code of Governmental Ethics would prohibit her from being a contracted consultant for the City of Baker ("Baker") while she is employed by the City of Baton Rouge/Parish of East Baton Rouge ("City/Parish") as a Grants Administrator. On motion made, seconded and unanimously passed, the Board concluded that based on the facts presented, the Code does not prohibit Mr. Blacher from providing consulting services to Baker while remaining employed as the Grants Administrator for the City/Parish.

The Board considered an advisory opinion request in Docket No. 22-296 from Fire Chief Christopher Bourgeois, on behalf of the Schriever Fire Protection District ("District"), as to whether the Code of Governmental Ethics would prohibit the District from hiring volunteer firefighter Ryan Chauvin as a compensated part-time maintenance worker. Mr. Chauvin's father-in-law, Daniel Ledet, is on the District's Board. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits the District from hiring Mr. Chauvin as a compensated part-time maintenance worker while Mr. Ledet serves on the District's board.

The Board considered an advisory opinion request in Docket No. 22-308 submitted by Tommy Naquin concerning whether the Code of Governmental Ethics would prohibit an employee of

the Town of St. Francisville ("Town") from entering into a contract with the Town for the provision of janitorial services. On motion made, seconded and unanimously passed, the Board concluded that based on the facts presented, the Code prohibits Stacy Orr from entering into a contract for the provision of janitorial services with the Town while being employed by the Town.

The Board considered an advisory opinion request in Docket No. 22-309 regarding whether a member of the Shenandoah Estates Crime Protection and Improvement District Board may volunteer his services to the District to maintain its website. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics permits Edward Craig to donate his services and support to the District to maintain its website.

The Board considered an advisory opinion request in Docket No. 22-310 regarding whether La Sandra Darensbourg Gordon, a member of the St. Charles Parish Council, may accept employment with the ARC of St. Charles, Inc. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics would prohibit Ms. Gordon from accepting part-time employment with the ARC of St. Charles while she is an elected member of the St. Charles Parish Council.

The Board considered an advisory opinion request in Docket No. 22-311 from Allen Hanna, former employee of the Louisiana Department of Health, Office of Public Health, Region 8 regarding post-employment restrictions. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics would not prohibit Allen Hanna from assisting persons for compensation in new transactions involving the Louisiana Department of Health, Office of Public Health Region 8.

The Board considered a disqualification plan in Docket No. 22-198 submitted for approval by the St. Martin Parish Sheriff's Office on behalf of the following employees: Nolan Hulin, Avery Hulin, Kaye Hulin, Darren Dore' and Linda Dore'. On motion made, seconded and unanimously

passed, the Board approved the disqualification plan for Darren and Linda Dore' and declined to adopt the disqualification plans for Nolan Hulin, Avery Hulin and Kaye Hulin, as the plan is unnecessary as no conflict exist since the Hulin's are in different agencies.

The Board considered an advisory opinion request in Docket No. 22-268 from William Crawford, on behalf of Bayou Community Academy Charter School (the "Academy"), as to whether the Code would prohibit the Academy from entering into transactions with United Community Bank ("UCB"). Harold Callais is on the Academy's board and his father, Corey Callais owns an interest in UCB. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics would prohibit UCB from entering into a transaction with the Academy.

The Board considered an advisory opinion request in Docket No. 22-277 regarding whether the post-employment restrictions in the Code of Governmental Ethics would prohibit Marksville Councilwoman Mary E. Sampson from being appointed to the local Civil Service Commission once her term of office expires. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits Ms. Sampson from being appointed by the Marksville Board of Aldermen to any position for two years after the termination of her public service as an elected member of the Marksville Board of Aldermen.

The Board considered an advisory opinion request in Docket No. 22-279 from Ellen Ortiz, former employee of the First Planning District Workforce Development Board, regarding post-employment restrictions. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Ellen K. Ortiz from being employed by Castles of Dreams LLC to provide compensated training services to the District.

The Board considered an advisory opinion request in Docket No. 22-280 submitted by Don Chauvin, concerning whether the Code of Governmental Ethics would prohibit his receipt of a vehicle allowance while he runs for Mayor of Carencro. On motion made, seconded and

unanimously passed, the Board concluded that based on the facts presented, the request is not within the jurisdiction of the Board of Ethics. This matter appears to be an issue involving the use of public funds, which is a subject matter within the jurisdiction of the Louisiana Department of Justice-Office of the Attorney General.

The Board returned to Docket No. 22-257.

Councilwoman Mary K. Clulee was able to return to the meeting with a document to present to the Board for consideration regarding the request for an advisory opinion in Docket No. 22-257 concerning a potential lease with FEMA. 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. Clulee from entering into a lease with FEMA. However, the Code of Governmental Ethics does prohibit the submission of the Application of Zoning Amendment on her behalf to St. Charles Parish.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the May 5th and May 6th, 2022 meetings.

The Board considered a proposed consent opinion in Docket No. 16-017 executed by Jeanine Blaney, a former employee of the Lake Charles Police Department, for receiving compensation in 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 proposed consent opinion in Docket No. 19-051 executed by Lashanda Bridges, a former employee of the Office of Motor Vehicles in Sulphur, for receiving compensation in 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 proposed consent opinion in Docket No. 19-580 executed by Linda Musson, former employee with the Maxine Giardina Charter School, admitting to a violation of Section 1121 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 proposed consent opinion in Docket No. 20-240 from Donald and Marla Cooper and Cooper Construction for a violation of Section 1113B of the Code of Governmental Ethics regarding transactions between Cooper Construction and Ms. Cooper's agency, the Lafourche Parish Recreational District No. 3. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion and dismissed charges pending before the Ethics Adjudicatory Board.

Kathleen Allen presented an updated chart to the Board regarding legislation enacted during the 2022 Regular Legislative Session.

Kathleen Allen presented an Administrator's Report to the Board. It was established at the meeting that charts will not be necessary on future meeting agendas.

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 G25, 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 G25 excluding Docket No. 22-303 taking the following action:

The Board unanimously declined to waive the campaign finance late fees assessed against the following:

Docket 22-260 LA Loggers PAC, MO June 2019, 5 days late of a \$1,000 late fee;
Docket 22-261 Citizens for a Better Caddo, Inc., ANN2017, 587 days late of a \$3,000 late fee;
Docket 22-261 Citizens for a Better Caddo, Inc., ANN2018, 222 days late of a \$3,000 late fee;
Docket 22-265 LA Republican Party Caddo Parish, MO April 2021, 9 days late of a \$1,800 late fee;

Docket 22-273 Adam Toussaint, 10-G, 13 days late of a \$600 late fee;
Docket 22-304 Kirk PAC, 40-G, 33 days late of a \$3,000 late fee;
Docket 22-305 Jared Brossett, 180-P, 100 days late of a \$2,500 late fee; and,
Docket 22-307 Benjamin “Ben” Kleban, ANN2019, 17 days late of a \$600 late fee.

The Board unanimously suspended all but \$200 of the campaign finance late fee based on future compliance and payment within 20 days of receipt of the waiver result letter, the late fee against the following:

Docket 22-270 Ronald “Ron” Stevens, 10-P, 52 days late of a \$600 late fee.

The Board unanimously reduced the campaign finance late fee to \$400 based on Rule 1205C; and, declined to waive that late fee against the following:

Docket 22-271 Carrie Wheeler, SUPP2020, 113 days late of a \$1,000 late fee.

The Board unanimously suspended all of the campaign finance late fee based on future compliance, against the following:

Docket 22-301 Kendrick Guidry, 30-P, 2 days late of a \$120 late fee.

The Board unanimously reduced the campaign finance late fee to \$600 based on Rule 1205C; and, declined to waive that late fee against the following:

Docket 22-307 Benjamin “Ben” Kleban, ANN2020, 25 days late of a \$1,500 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a waiver request in Docket No. 22-303, for a waiver of two \$3,000, totaling \$6,000 campaign finance late fees assessed against Progressive Pelican PAC, a political committee, and its chairperson Greg Morrison, in the November 3, 2020 election, whose 10-G and 40-G campaign finance disclosure reports were filed 108 and 39 days late, respectively. On motion made, seconded and unanimously passed, the Board suspended all but \$300 based on future compliance on the \$3,000 late fee for the 10-G, and declined to waive the \$3,000 late fee for the 40-G.

The Board considered a waiver request in Docket No. 22-266 for the \$1,500 late fee assessed against Gregory Morrison for failing to timely file his Supplemental lobbying registration report. On motion made, seconded and unanimously passed, the Board waived the late fee.

The Board considered a waiver request in Docket No. 22-278 for the \$1,500 late fee assessed against Telley Madina for filing his 2022 lobbying registration 65 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. 22-298 for the \$100 late fee assessed against Mark Holder, Coroner/Sabine Parish, for filing his amended 2019 Tier 2 annual personal financial disclosure 1 day late. On motion made, seconded and unanimously passed, the Board waived the \$100 late fee.

The Board considered a waiver request in Docket No. 22-299 for two \$2,500 late fees assessed against Charles Broussard, former member of the Acadia Parish Police Jury/District 3, for filing his 2018 and 2019 Tier 2 annual personal finance disclosures 491 and 257 days late, respectively. On motion made, seconded and unanimously passed, the Board declined to waive both \$2,500 late fees and instructed staff to offer a payment plan.

The Board considered untimely waiver request in Docket No. 22-297 submitted by Gene Willie Barber, a former Constable/District C/Grant Parish, regarding a \$300 late fee assessed for filing his 2019 Tier 3 annual personal financial disclosure 6 days late and a timely waiver request regarding a \$50 late fee assessed for filing his 2020 Tier 3 annual personal financial disclosure 2 days late. On motion made, seconded and unanimously passed, the Board declined to consider the untimely waiver request on the 2019 personal financial disclosure and declined to waive the \$50 late fee associated with the 2020 personal financial disclosure.

The Board considered the General Supplemental Agenda.

The Board considered an advisory opinion request in Docket No. 22-249 from Joanna Redmond, on behalf of AECOM Technical Services Inc., regarding an upcoming Request for Proposal issued by the Office of Community Development. On motion made, seconded and unanimously passed, the Board deferred the matter until the July meeting.

The Board considered an advisory opinion request in Docket No. 22-382 concerning Claude Jackson continuing to serve on the Caddo Parish Commission Fire District No. 8 (“Fire District”) Board while serving on the Louisiana Gaming Control Board. On motion made, seconded and unanimously passed, the Board concluded that La. R.S. 27:12 & 14, as well as the provisions in the Code of Governmental Ethics, do not address Mr. Jackson’s continued service on the Louisiana Gaming Control Board and the Fire District Board. The Board advised 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 advised Mr. Jackson to contact that office regarding the application of those laws.

The meeting adjourned at 12:35 P.M.

Secretary

APPROVED:

Chairwoman