

LOUISIANA BOARD OF ETHICS
MINUTES
December 6, 2024

The Board of Ethics met on December 6, 2024 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 Baños, Colomb, Couvillon, Ellis, Grand, Grimley, Scott and Speer present. Board Members Bryant, Lavastida and Roberts were absent. Also present were the Ethics Administrator, Kathleen Allen; Executive Secretary, Carolyn Abadie Landry; and Counsel Tracy Barker, David Bordelon, Mallory Guillot, Jessica Meiners, Suzanne Mooney and Charles Reeves.

On motion made, seconded and unanimously passed, the Board appointed Mr. Alfred Speer as acting chair for the meeting.

Mr. Philip Rebowe, certified public accountant representing Kirk PAC, appeared before the Board in Docket No. 22-304 requesting that the Board reconsider its decision to decline to waive a \$3,000 campaign finance late fee assessed against Kirk PAC, a political action committee, in the October 12, 2019 election, whose 40-G campaign finance disclosure report was filed 33 days late. After hearing from Mr. Rebowe and in its capacity as the Supervisory Committee on Campaign Finance Disclosure, on motion made to accept the staff recommendation, motion failed for lack of a second. On motion made, seconded and unanimously passed, the Board suspended all but \$1,000 of the late fee.

Mr. Coby Clavier, Councilman for St. Landry Parish, appeared before the Board in Docket No. 23-326 regarding the charges issued against him on violating Section 1111C(2)(d) of the Code of Governmental Ethics by receiving compensation and wages for rendering services to Coburn Supply Company while Coburn Supply Company had or was seeking to have a

contractual, financial, or business relationship with the St. Landry Parish Government. After hearing from Mr. Clavier, the Board took no action and advised Mr. Clavier to speak with Mallory Guillot regarding a future counter offer.

Senator Jay Luneau, chairperson for Jay for LA PAC, appeared before the Board in Docket No. 24-109 requesting that the Board reconsider its decision to decline to waive the \$3,000 campaign finance late fee assessed against Jay for LA PAC, a political action committee and its committee's chairperson, W. Jay Luneau, in the October 14, 2023 election, whose 30-P campaign finance disclosure report was 15 days late. After hearing from Senator Luneau and in its capacity as the Supervisory Committee on Campaign Finance Disclosure, on motion made, seconded and unanimously passed, the Board suspended all but \$500 based on future compliance.

The Board took a recess from 10:04 a.m. to 10:13 a.m.

Mr. Craig Hawn, an unsuccessful candidate for Coroner for Concordia Parish, appeared before the Board in Docket No. 24-697 requesting that the Board waive the \$1,140.00 and \$360.00 campaign finance late fees (\$1,500.00 total) assessed against him whose 30-P and 10-G campaign finance disclosure reports were filed 19 and 6 days late, respectively. After hearing from Mr. Hawn and in its capacity as the Supervisory Committee on Campaign Finance Disclosure, on motion made, seconded and unanimously passed, the Board suspended all of the late fees based on future compliance.

The Board considered an advisory opinion request in Docket No. 24-706 regarding as to whether the Code of Governmental Ethics permits Chris Guidry to work for GEC, Inc. on the Calcasieu River Bridge Owner Verification Project after retiring from the Louisiana Department of Transportation and Development ("DOTD"). On motion made, seconded and unanimously

passed, the Board concluded that since Mr. Guidry did not work on the Project during his public employment with DOTD and he is not rendering any service to the Bridge and Structural Design Section on a contractual basis, he is not prohibited from overseeing or managing the Project for GEC, Inc.

Jay Dardenne appeared before the Board in Docket No. 24-773 requesting that the Board waive the four \$3,000.00 campaign finance late fees (\$12,000 total) assessed against, JAY PAC, a political action committee, and its committee's chairperson, Jay Dardenne, whose 30-P, 10-P, 10-G and 40-G campaign finance disclosure reports were filed 151, 161, 126 and 76 days late, respectively. After hearing from Mr. Dardenne and in its capacity as the Supervisory Committee on Campaign Finance Disclosure, on motion made to suspend all of the late fees based on future compliance, motion failed for lack of a second. On motion made, seconded and unanimously passed, the Board suspended all but \$750 of each late fee for a total of \$3,000.

Executive Director Holly Takento and Susan Gurisco appeared before the Board in Docket No. 24-796 requesting an advisory opinion regarding whether the Code of Governmental Ethics permits the Louisiana Radiologic Technology Board of Examiners (“LSRTBE”) to hire former board chairwoman Susan Guarisco. After hearing from Ms. Takento and Ms. Gurisco, on motion made, seconded and unanimously passed, the Board concluded that Ms. Guarisco, as a former member of the LSRTBE, is prohibited for two years following her termination of public service from contracting with being employed in any capacity by, or being appointed to any position by the LSRTBE; however, Ms. Guarisco is permitted to provide training services to new employees of LSRTBE when no compensation is received can be reimbursed for travel expenses.

The Board unanimously resolved into executive session at 10:35 a.m. to consider personnel issues related to the selection of an ethic’s administrator deemed confidential pursuant

to Section 1141 of the Code of Governmental Ethics and excepted pursuant to 42:17 La. R.S. All attendees were dismissed except Senator Regina Barrow, Representative Gerald “Beau” Beaulieu, IV, Ethics Administrator Kathleen Allen, General Counsel Tracy Barker, Executive Secretary Carolyn Landry and IT Director Slava Sereda.

EXECUTIVE SESSION

The Board considered the General Supplemental Agenda beginning with GS2 at 11:49 a.m.

The Board considered the applicants for the ethics administrator position. Ms. Allen made a brief statement regarding her retirement decision being given to the Board on September 5, 2024. Chairman Speer thanked Ms. Allen and Mrs. Barker for providing excellent representation for the Board. Representative Gerald “Beau” Beaulieu, District 48, appeared before the Board to request the Board delay the selection of the Ethics Administrator until January. Senator Regina Barrow, District 15, appeared before the Board to answer a question regarding whether a selection has been made regarding the Senate's appointment to the Board. Senator Barrow was not fully aware of the status of that decision but noted that the Senate was working on the matter. Representative Beaulieu stated that the House of Representatives is working towards nominating a Board member but has not made a final decision at this time. Board Member Grimley made a motion, which was seconded to appoint David Bordelon permanently as the new Ethics Administrator. Discussion continued regarding the definition of a “detailed position”. Mr. Bordelon stated it is not the administrator that makes this work; it is the staff, the attorneys, compliance investigators; and he feels that all staff works for the 15 board

members and Mr. Bordelon has no problem being “detailed” in the position, and he would appreciate the protection of the “detailed position” according to civil service. Board Member Baños stated that Mr. Bordelon’s comments clearly reflect his character. Board Member Grimley withdrew his motion. On motion made, seconded and unanimously passed, the Board “detailed” Mr. David Bordelon in the Ethics Administrator position with protection according to civil service rules. A voice vote was taken, and all present board members voted yes.

The Board considered a notice of correspondence in Docket No. 4124-04 from the Attorney General regarding an Open Meeting Complaint filed by Representative Beau Beaulieu. On motion made, seconded and unanimously passed, the Board deferred the matter.

The Board discussed the possible location of future meetings. The Board took no action.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered Docket No. 22-200 regarding the assessment of the enhanced penalty pursuant to Sections 1505.4A(4)(a) and 1505.4A(4)(b) of the Campaign Finance Disclosure Act for Brandon Robertson, candidate for East Baton Rouge Parish Metro Council, District 7, in the November 3, 2020 election, for his failure to file 30-P, 10-P, and 10-G campaign finance disclosure reports. On motion made, seconded and unanimously passed, the Board assessed \$10,000 for each report for a total of \$30,000.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G7-G23 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-G23, excluding items G8, G10 and G16, taking the following action:

The Board considered an advisory opinion request in Docket No. 24-665 regarding whether the Code of Governmental Ethics permits an employee of the Acadia Parish Library to also serve as the Secretary of the Civil Service Board in Acadia Parish. On motion made, seconded and unanimously passed, the Board concluded 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 instructed staff to suggest that Christine Daigle contact the Attorney General's office regarding the application of those laws and to send a copy of the request to the Attorney General's Office.

The Board considered an advisory opinion request in Docket No. 24-673 regarding Acadia Fire Protection District #4 ("District") regarding whether the Code of Governmental Ethics would prohibit the District from hiring volunteer firefighter Brian Miller as a compensated firefighter. On motion made, seconded and unanimously passed, the Board concluded that Brian Miller's employment with the District is not prohibited by the Code of Governmental Ethics.

The Board considered an advisory opinion request in Docket No. 24-793 regarding whether the Code of Governmental Ethics permits Liesa Lawson to represent the City of Alexandria in legal matters after her tenure as the Director of Civil Service for the City of Alexandria. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Ms. Lawson from representing the City of Alexandria in legal matters after her tenure as the Director of Civil Service for the City of Alexandria.

The Board considered an advisory opinion request in Docket No. 24-797 regarding whether the Code of Governmental Ethics permits Buffylynn Charpentier, an employee of Lafourche Parish School Board, to apply for a scholarship through the Council for a Better Louisiana ("CABL") for the Leadership Louisiana Class of 2025 Program. On motion made, seconded and unanimously

passed, the Board concluded that no provision in the Code of Governmental Ethics prohibits Ms. Charpentier from attending the Leadership Louisiana Class program or from receiving financial assistance for the program through CABL, since CABL has no relationship with the Lafourche Parish School Board.

The Board considered an advisory opinion request in Docket No. 24-798 regarding whether the Code of Governmental Ethics prohibits Ora Rice from continuing her employment with Grambling State University and providing drafting services to the Child Welfare Training Academy through Southeastern Louisiana University. On motion made, seconded and unanimously passed, the Board concluded that no provision of the Code of Governmental Ethics would prohibit Ms. Rice's continued employment with Grambling State University if she provides drafting services to Southeastern Louisiana University. However, the Board instructed staff to advise Ms. Rice that her continued employment with the Grambling State University and Southeastern Louisiana University may present an issue addressed by the Louisiana Dual Office-Holding laws, which are under the jurisdiction of the Attorney General and to send a copy of the request and opinion to the Attorney General's Office.

The Board considered an advisory opinion request in Docket No. 24-800 regarding whether the Code of Governmental Ethics prohibits West Calcasieu Port Board of Commissioners former board member or his wholly-owned company from serving as the contracted Port Director once he resigns as a board member. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits a former member of the Port's Board of Commissioners or a former board member's wholly-owned company from serving as the contracted Port Director for two years following that board member's termination of public service on the Board of Commissioners.

The Board considered an advisory opinion request in Docket No. 24-806 regarding whether the Code of Governmental Ethics prohibits the Bridge City Volunteer Fire Company No. 1 Board of Directors can change an employee's job title. On motion made, seconded, and unanimously passed, the Board concluded that changing the job title of the Fire Company's administrator position from "Administrator" to "Fire Chief" does not pose an issue under the Code of Governmental Ethics.

The Board considered an advisory opinion request in Docket No. 24-807 regarding whether the Code of Governmental Ethics permits Natchitoches Exterior LLC, a company owned by Adam Edwards, to be a vendor for or contract with Northwestern State University while Mr. Edwards' wife is employed at Northwestern State University. On motion made, seconded and unanimously passed, the Board concluded that Mr. Edward's company, Natchitoches Exterior LLC, is not prohibited from bidding on or entering into any contract, subcontract, or other transaction that is under the supervision or jurisdiction of the University Affairs Department of Northwestern State University.

The Board considered an advisory opinion request in Docket No. 24-808 regarding whether the Code of Governmental Ethics permits Aldermen for the Town of Duson (the "Town"), who hold volunteer positions with the Duson Volunteer Fire Department (the "Fire Department"), to vote on matters relating to a cooperative endeavor agreement between the Town and the Fire Department. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Mr. Duhon, Mr. Cormier and Mr. Robin from voting on matters in which the Fire Department has a substantial economic interest.

The Board considered an advisory opinion request in Docket No. 24-837 regarding whether the Code of Governmental Ethics prohibits Jeff Ditman, a teacher at Prairieville High School, from contracting with the Ascension Parish School District to provide track and field timing services through his business, CD Timing. On motion made, seconded and unanimously passed, the Board concluded that Section 1113 of the Code of Governmental Ethics prohibits CD Timing from entering contracts to time events at Prairieville High School Track and Field. However, the Code would not prohibit CD Timing from entering into contracts to provide timing services at other high schools in the parish.

The Board considered an advisory opinion request in Docket No. 24-838 regarding whether the Code of Governmental Ethics prohibits Brett Arceneaux, Ascension Parish Councilman's restaurant, from operating a food truck at Parish facilities. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits Mr. Arceneaux, his wife, or the restaurant from entering into a transaction with the Parish to operate a food truck at the Parish facilities.

The Board considered an advisory opinion request in Docket No. 24-839 regarding whether the Code of Governmental Ethics prohibits Ervin Menard, Fire Chief of Coulee Croche Fire Protection District No. 4, from contracting to provide lawn care services. On motion made, seconded and unanimously passed, the Board concluded that as a public servant with the Fire District, Mr. Menard is prohibited by La. R.S. 42:1113A(1)(a) from bidding on or entering into any contract, subcontract, or other transaction with his agency, the Fire District.

The Board considered an advisory opinion request in Docket No. 24-860 regarding whether the Code of Governmental Ethics prohibits Timothy Collins from continuing his employment with the City of Plaquemine Police Department if he accepts part time employment

to provide legal services to the Iberville Parish Government. On motion made, seconded and unanimously passed, the Board concluded that no provision of the Code of Governmental Ethics prohibits Mr. Collins' continued employment in the City of Plaquemine as the Assistant Police Chief and as part-time legal counsel for the Parish of Iberville. However, the Board instructed staff to advise Mr. Collins that his continued employment with the City of Plaquemine while serving as legal counsel for the Parish of Iberville may present an issue addressed by the Louisiana Dual Office-Holding laws, which are under the jurisdiction of the Attorney General. A copy of his request and this opinion has been forwarded to the Attorney General's Office.

The Board considered an advisory opinion request in Docket No. 24-668 regarding whether the Code of Governmental Ethics permits Clifton Gremillion to work for the Headquarters Division of the Louisiana Department of Corrections after he retires from employment with the Louisiana State Penitentiary. On motion made, seconded and unanimously passed, the Board deferred the matter until the January meeting for more information.

The Board considered an advisory opinion request in Docket No. 24-733 regarding whether the Code of Governmental Ethics prohibits a former Louisiana Department of Transportation and Development employee from being employed with Arcadis U.S. Inc. On motion made, seconded and unanimously passed, the Board concluded that the post-employment restrictions contained in the Code of Governmental Ethics, applies to Czarina Patolilic until December 7, 2025, which is two years from the date she terminated her public employment with DOTD. The Board also advised that should a specific situation arise that may present a possible violation of the Code's post-employment restrictions, and she should seek an updated advisory opinion.

The Board considered an advisory opinion request in Docket No. 24-801 regarding whether the Code of Governmental Ethics limits the ability of the Assumption Parish Police Jury to appoint members of its evaluation team to review the selection of contractors. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental that the Code of Governmental Ethics prohibits members of the Evaluation Team from evaluating bids submitted by themselves, a family member, an employer, a prospective future employer or someone who owes them debt. Further, members of the Police Jury, department heads, and companies that they own would be prohibited from submitting bids to the Parish or their respective department.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the October 25, 2024 and November 7, 2024 meetings. November 8, 2024, meeting minutes will be deferred to the January meeting.

On motion made, seconded and unanimously passed, the Board deferred the Rules for the Louisiana Board of Ethics to the January meeting.

On motion made, seconded and unanimously passed, the Board deferred the EF Study to the January meeting.

The Board considered a reconsideration in Docket No. 24-501 regarding its decision to decline to waive the three \$300 campaign finance late fees (\$900 total) assessed against John "Randy" Sexton, a successful candidate for Assessor, Iberville Parish in the October 20, 2007; October 22, 2011; and October 24, 2015 elections, whose 2023 Supplemental campaign finance disclosure reports were filed 5 days late, respectively. On motion made, seconded and unanimously passed, the Board reaffirmed its decision to decline to waive.

The Board considered a reconsideration in Docket No. 24-537 regarding its decision to decline to waive a \$2500 late fee submitted by Lisa Ray Diggs, Clerk / 2nd City Court / Orleans Parish, assessed for filing her 2022 Tier 2 annual personal financial disclosure 145 days late. On motion made, seconded and unanimously passed, the Board reaffirmed its decision to decline to waive.

The Board unanimously resolved into executive session at 12:13 p.m. to consider complaints and other matters deemed confidential pursuant to Section 1141 of the Code of Governmental Ethics and excepted pursuant to 42:17 La. R.S.

EXECUTIVE SESSION

On motion made, seconded and unanimously passed, the Board exited executive session and adjourned at 12:41 p.m.

Secretary

APPROVED:

Chairman