
General Session

The Board of Ethics moved into General Session on April 5, 2023 at 10:06 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 Bãnos, Colomb, Couvillon, Ellis, Grimley, Roberts, Scott and Speer present. Board Members Bryant, Grand and Lavastida were absent.

Trent Temples appeared before the Board in Docket No. 22-370 requesting that the Board waive the \$2,500 late fee assessed against him regarding his candidacy for City Prosecutor of Bogalusa / Washington Parish, in the November 13, 2021 election, whose 2020 Tier 2 Candidate personal financial disclosure report was never filed. After hearing from Mr. Temples, on motion made, seconded and unanimously passed, the Board declined to waive the \$2,500 late fee.

Bianca J. Vedell appeared before the Board in Docket No. 22-514 requesting that the Board reconsider its decision to decline to waive the \$720 campaign finance late fee assessed against her regarding her candidacy for School Board, District 5, St. Landry Parish, in the March 26, 2022 election, whose 30-P campaign finance disclosure report was filed 18 days late. In its capacity as the Supervisory Committee on Campaign Finance Disclosure and after hearing from Ms. Vedell, on motion made, seconded and unanimously passed, the Board suspended all of the late fee based on future compliance.

On motion made, seconded and unanimously passed, the Board added Docket 23-305 to the agenda.

Kathleen Berlin appeared before the Board to answer any questions on an advisory opinion request in Docket No. 23-305 regarding whether the Code of Governmental Ethics prohibits Ms. Berlin from entering into a contract with the Division of Administration, Office of

Technology Services (OTS), Applications and Data Management Section to serve as a Senior Application Administrator on the Department of Children and Family Services (DCFS) Natural Legacy Systems after her retirement as a Statewide IT Director in OTS, Production Support Services (PSS). On motion made, seconded and unanimously passed, the Board concluded that the post-employment provision in the Code of Governmental Ethics does not prohibit Ms. Berlin from entering into a contract with OTS, Applications and Data Management Section to serve as a Senior Applications Administrator for the DCFS Natural Legacy System.

Shanerika M. Flemings appeared before the Board to answer any questions on an advisory opinion in Docket 23-138 regarding whether the Code of Governmental Ethics prohibits former Shreveport employee Tom Dark from serving as the Chief Administrative Officer (CAO) for the City of Shreveport. On motion made, seconded and unanimously passed, the Board concluded that the post-employment provision of the Code of Governmental Ethics does not prohibit Mr. Dark from contracting with the City of Shreveport to provide professional services as the CAO.

The Board took a recess from 10:43 a.m. to 10:59 a.m.

On motion made, seconded and unanimously passed, the Board left General Session and moved into Executive Session at 11:00 a.m.

EXECUTIVE SESSION

On motion made, seconded and unanimously passed, the Board moved into General Session at 11:26 a.m.

On motion made, seconded and unanimously passed, the Board agreed to take action on

items G3-G22 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 G6-G22, excluding items G3, G4, G12, G16 and G20 taking the following action:

The Board considered an advisory opinion request in Docket No. 22-927 from Steven Kennedy, a candidate in the Feb. 18, 2023 special election in Orleans Parish for Louisiana House District 93, regarding contracts with the Louisiana Housing Corporation and other local governmental entities. On motion made, seconded and unanimously passed, the Board declined to render an opinion due to the fact that Mr. Kennedy did not provide additional information, as requested.

The Board considered an advisory opinion request in Docket No. 23-062 from Natchitoches Parish Planning and Zoning Department (Department) employee Melonia McDaniel regarding whether the Code of Governmental Ethics prohibits her brother, Ivan McDaniel, from serving on the Natchitoches Parish Planning and Zoning Commission (Commission). On motion made, seconded and unanimously passed, the Board concluded that since Ms. McDaniel has been employed for over a year, she will be able to continue her employment with the Department if Ivan McDaniel is appointed as a Commissioner by the Parish President and approved by the Parish Council.

The Board considered an advisory opinion request in Docket No. 23-068 from Satrica D. Williams, related to her appointment as a Hearing Adjudication Officer for the City of Lake Charles when she serves as President for Girlie Girls Mentoring Program, Inc., a Louisiana non-profit corporation (“GGMP”). Chairwoman Roberts recused herself from voting on Docket No.

23-068. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics does not prohibit Satrica D. Williams from continuing to serve as an officer of GGMP, but she is prohibited from participating in any transaction involving her agency in which GGMP has a substantial economic interest. The Code of Governmental Ethics does not prohibit her from seeking an elected office while serving as a Hearing Adjudication Officer.

The Board considered an advisory opinion request in Docket No. 23-069 submitted by Daniel Gillane concerning whether the Code of Governmental Ethics prohibits the award of gift cards to Lafayette Public Library ("Library") staff members by the Lafayette Public Library Board of Control ("Board") President. On motion made, seconded and unanimously passed, the Board concluded, that based on the facts presented, the Code of Governmental Ethics prohibits the award of gift cards to the Library staff members by the Board President.

The Board considered an advisory opinion request in Docket No. 23-070 submitted by Cara Chance concerning whether the Code of Governmental Ethics prohibits her from accepting a \$5,000.00 cash prize for being an American Library Association I Love My Librarian award honoree. 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. Chance from accepting the \$5,000.00 cash prize, which was sponsored by the Campaign Corporation of New York.

The Board considered an advisory opinion request in Docket No. 23-071 on behalf of the St. Tammany Parish Coroner's Office ("STPCO") relative to the use of revenue generated from fees collected under La. R.S. 13:5722 for the purpose of supporting the forensic and mental

health operations of the Children's Advocacy Center (“CAC”) Hope House in St. Tammany Parish. On motion made, seconded and unanimously passed, the Board concluded that Code of Governmental Ethics permits the STPCO Coroner or the Chief Deputy Coroner to serve on the Board of Directors for CAC Hope House, provided that the Coroner or Chief Deputy Coroner do not receive anything of economic value for services rendered to or for the CAC Hope House.

The Board approved the withdrawal of an advisory opinion request in Docket No. 23-073 from Town of Lake Providence doing business with a newspaper owned by the sister of the Town alderman, since subsequent to the submission of the advisory opinion request the ownership of the newspaper has changed, prompting the Town to withdraw the advisory opinion request.

The Board approved the withdrawal of an advisory opinion request in Docket No. 23-077 regarding whether the Code of Governmental Ethics prohibits USA Equipment from doing business with the Vermilion Parish Police Jury while Brent Landry serves on the Police Jury and is employed with USA Equipment, since the parish is not going to do business with USA Equipment.

The Board approved the withdrawal of a disqualification plan approval request in Docket No. 23-131 submitted by Ava Cates, the Secretary of the Louisiana Workforce Commission, since LWC is no longer involved in the lawsuit that involved Ms. Cates’ half-sister.

The Board considered an advisory opinion request in Docket No. 23-135 submitted on behalf of Talley, Anthony, Hughes & Knight, LLC ("TAHK") regarding whether TAHK can sublease office space from Ron Macaluso while he serves on the Tangipahoa Parish Hospital Service District No. 1 a/k/a North Oaks Health System when TAHK performs legal services for the hospital service district. On motion made, seconded and unanimously passed, the Board

concluded that 1) Mr. Macaluso cannot receive any thing of economic value for subleasing office space to TAHK and 2) Mr. Macaluso and TAHK cannot enter into a fee-sharing agreement for cases that Mr. Macaluso refers to TAHK.

The Board approved the withdrawal of an advisory opinion request in Docket No. 23-137 by Pamela Boswell, an employee of the Louisiana Department of Health, regarding the employment of her daughter at the Southwest Louisiana Area Health Education Center since Ms. Boswell provided updated information that her daughter accepted employment with another health care provider.

The Board considered an advisory opinion request in Docket No. 23-139 regarding Lieutenant Derek Champagne of the Lafourche Parish Sheriff's Office gaining secondary employment with a private company. On motion made, seconded and unanimously passed, the Board concluded that based on the facts provided, the Code of Governmental Ethics permits Lieutenant Champagne to obtain secondary employment with 21st Century Cop Academy, LLC.

The Board considered an advisory opinion request in Docket No. 23-171 regarding whether the Code of Governmental Ethics prohibits the Jockey Being Family Program from donating backpacks to the East Baton Rouge Parish Juvenile Court. On motion made, seconded and unanimously passed, the Board concluded that Section 1115 of the Code of Governmental Ethics does not prohibit the employees of the Juvenile Court from soliciting Jockey's "Jockey Being Family" Program for donations since it is not a prohibited source.

The Board considered an advisory opinion request in Docket No. 23-208 on behalf of the Lafayette City-Parish Consolidated Government ("LCG") as to the hiring of Jared Gaspard and the approval of a disqualification plan in the event he is hired. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics would not

prohibit LCG from hiring Jared Gaspard as a Power Plant Technician, since his brother, Jordan Gaspard, is not an agency head. Further, the Board approved the proposed disqualification plan.

There was no action taken in Docket No. 18-1180 regarding charges issued against George Carraway and Terry Campbell.

There was no action taken in Docket No. 19-592 regarding charges issued against Alton McClinton.

The Board considered an advisory opinion request in Docket No. 23-076 from Benjamin Franklin High School as to whether assistant coaches may receive compensation for coaching students in private leagues during out of season periods. On motion made, and seconded to adopt the proposed advisory opinion, the motion failed by a vote of 4 yeas by Board Members Bãnos, Colomb, Ellis and Grimley, and 4 nays by Board Members Couvillon, Roberts, Scott and Speer. On motion made, seconded and unanimously passed, the Board deferred the matter until the May Board meeting.

The Board considered an advisory opinion request in Docket No. 23-136 from the West Baton Rouge Parish Government relating to the outside employment of a parish building inspector. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics prohibits Ben Bello from receiving compensation from Easley while it conducts operations or activities which are regulated by Mr. Bello's agency, the Parish Planning and Development Department.

The Board considered an advisory opinion request in Docket No. 23-148 submitted by Village of Anacoco Mayor Howard K. Lewing concerning whether the Code of Governmental Ethics prohibits Howard Lewing Construction, Inc. from contracting with Danny Manes, who oversees the Anacoco Water System. On motion made, seconded and unanimously passed, the

Board concluded that based on the facts presented, the Code of Governmental Ethics does not prohibit Howard Lewing Construction, Inc. from using the services of Danny Manes or Manes Construction, LLC. as a subcontractor, provided Howard Lewing Construction, LLC is not given a discount for the services provided by Mr. Manes or his company.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the March 2nd and March 3rd, 2023 meetings.

The Board considered a consent opinion in Docket No. 17-1105 regarding Willie Scott Woods, a former Account Clerk for the City of New Roads who received funds from city accounts. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion in which Mr. Willie Scott Woods admitted to a violation of Sections 1111A and 1112A of the Code of Governmental Ethics. Mr. Woods agreed to a \$1,000 civil penalty with a payment plan of \$50 per month for 20 months, and executed a Confession of Judgment and Payment Schedule, with payments to begin on May 1, 2023. The Board dismissed the charges pending before the Ethics Adjudicatory Board.

The Board considered a consent opinion in Docket No. 21-525 regarding Brian Bucker, a social studies teacher and softball coach at Green Oaks Performing Arts School in Caddo Parish, participating and entering into transactions with Green Oaks Performing Arts School. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion in which Mr. Bucker admitted to a violation of Sections 1113A and 1112 of the Code of Governmental Ethics. The Board dismissed the charges pending before the Ethics Adjudicatory Board.

The Board considered a consent opinion in Docket No. 21-835 regarding Precious Phillips, a former employee of Caddo Parish Schools, receiving funds from a school account. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion in which Ms. Phillips admitted to a violation of Section 1111A of the Code of Governmental Ethics with a confession of judgment.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a consent opinion in Docket No. 22-444 regarding Karen Carter Peterson, a successful candidate for State Senator, 5th Senatorial District, in the October 12, 2019 election and Chairwoman of the LA Democrats, relating to her misuse of campaign funds. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion in which Ms. Peterson admitted to a violation of the Campaign Finance Disclosure Act and paid a civil penalty in the amount of \$27,900.

The Board considered an advisory opinion request in Docket No. 23-149 from Adam Marcantel, Civil Service Director, Lafayette Consolidated Government (“LCG”), related to potential employment of his family member. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics 1) prohibits a member of Mr. Adam Marcantel’s immediate family from being employed by the Civil Service Department; 2) does not prohibit a member of Mr. Marcantel’s immediate family from being employed by another department within LCG; 3) does not prohibit the submission of a job application by a member of Mr. Marcantel’s immediate family to LCG through the Civil Service Department, provided that the application is subject to the objective criteria of other applicants; and, 4) prohibits Mr. Marcantel from participating in any job application submitted by his immediate family member, for which Mr. Marcantel should submit a disqualification plan.

Kathleen Allen presented a summary of proposed legislation introduced during the 2023 Regular Legislative Session. The Board took no action.

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 G30, 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 G30, excluding Docket Nos. 23-081 and 23-085 taking the following action:

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. 22-999 from Jimmy Guy, 10-P of a \$1,000 late fee;
- Docket No. 22-999 from Jimmy Guy, 10-G of a \$1,000 late fee;
- Docket No. 23-079 from Lawrence “LT” Dupre, 10-G of a \$420 late fee;
- Docket No. 23-080 from Keith C. Bodin, 10-G of a \$700 late fee;
- Docket No. 23-084 from Richard “Richie” Sanderson, II, 2021 SUPP of a \$2,300 late fee;
- Docket No. 23-103 from Ann G. Arata, 30-P of a \$800 late fee;
- Docket No. 23-103 from Ann G. Arata, 10-P of a \$80 late fee;
- Docket No. 23-104 from Joy Nelson, 30-P of a \$1,000 late fee; and,
- Docket No. 23-104 from Joy Nelson, 10-P of a \$520 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board unanimously suspended all but \$200 based on future compliance with the reporting requirements under the Campaign Finance Act against the following:

- Docket No. 23-078 from John Paul Morgan, 10-P of a \$960 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a waiver request in Docket No. 23-081 regarding the \$40 campaign finance late fee assessed against Terrell Bergeron, unsuccessful candidate for Chief of Police, Village of Parks, St. Martin Parish, in the November 8, 2022 election, whose 10-G campaign finance disclosure

report was filed 1 day late. On motion made, seconded and unanimously passed, the Board suspended all of the late fee based on future compliance.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a waiver request in Docket No. 23-085 regarding the \$240 campaign finance late fee assessed against Alex L. Suffrin, an unopposed candidate for Member of School Board, District 8, St. Charles Parish, in the November 8, 2022 election, whose 30-P campaign finance disclosure report was filed 6 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$240 late fee.

The Board unanimously agreed to take action on the requests for “good cause” waivers of late fees assessed against individuals contained in item G31, 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 G31 taking the following action:

The Board considered a Lobbying waiver request in Docket No. 23-086 for a \$400 late fee assessed against Cherie Teamer for the late filing of the September 2022 Lobbying Expenditure Report. On motion made, seconded and unanimously passed, the Board declined to waive the \$400 late fee since Ms. Teamer has prior late filings.

The Board considered a Lobbying waiver request in Docket No. 23-153 for a \$250 late fee assessed against Brittany McAllister for the late filing of the December 2022 Lobbying Expenditure Report. On motion made, seconded and unanimously passed, the Board waived the late fee since this is her first late filing.

The Board unanimously agreed to take action on the requests for “good cause” waivers of late fees assessed against individuals contained in item G32, 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 G32 excluding Docket Nos. 22-760, 22-1010, 22-1013 and 23-029 taking the following action:

Chairwoman Roberts recused herself from consideration of Docket No. 22-940.

The Board suspended all but \$1,250 of the personal financial disclosure late fees assessed against the following:

Docket 22-940 Edwin Mark Shorty, Jr., Amend 2019 Tier 2, 263 days late of a \$2,500 late fee.

The Board declined to waive all of the personal financial disclosure late fees assessed against the following:

Docket 22-940 Edwin Mark Shorty, Jr., 2020 Tier 2, 129 days late of a \$2,500 late fee.

The Board unanimously suspended all of the personal financial disclosure late fees based on future compliance for the following:

Docket 22-1011 Alidore Leon “Al” Marmande, Amend 2020 Tier 2, 2 days late of a \$200 late fee;

Docket 23-025 Brad Davis, Amend 2020 Tier 2.1, 2 days late of a \$200 late fee;

Docket 23-027 Carlton Michael LaFrance, Sr., 2021 Tier 3, 10 days late of a \$250 late fee;

Docket 23-028 John Alford, 2020 Tier 3, 95 days late of a \$500 late fee;

Docket 23-031 Jackie L. “Deuce” Baker, 2021 Tier 2.1, 24 days late of a \$1,200 late fee;

Docket 23-032 John Robert “Bobby” Cortez, Amend 2020 Tier 2, 3 days late of a \$300 late fee; and,

Docket 23-034 Matt Milazzo, Amend 2019 Tier 2.1, 363 days late of a \$1,500 late fee.

Chairwoman Roberts recused herself from consideration of the following: Docket No. 22-1012 and 23-035.

The Board suspended all of the personal financial disclosure late fees based on future compliance for the following:

Docket 22-1012 Daryll Fitzgerald Berry, Amend 2020 Tier 2, 1 day late of a \$100 late fee; and,

Docket 23-035 Michael T. “Mike” Smith, Amend 2020 Tier 2, 33 days late of a \$2,500 late fee.

The Board considered a waiver request in Docket No. 22-760 submitted by Francis Gale Mitchell, Cheneyville Board of Alderman, Rapides Parish, regarding a \$500 late fee assessed for filing her amended 2018 Tier 3 annual personal financial disclosure 368 days late and a \$500 late fee assessed for filing her amended 2019 Tier 3 annual personal financial disclosure 321 days late. On motion made, seconded and unanimously passed, the Board suspended all based on future compliance for the amended 2018 Tier 3 and suspended all but \$350 based on future compliance of the \$500 late fee for the amended 2019 Tier 3. The \$350 is payable within 20 days and if payment is not received within 20 days, the full amount of the late fee becomes due and owing.

The Board considered a waiver request in Docket No. 22-1010 submitted by Ron McMorris, successful candidate for Livingston Parish School Board / District 8, in the November 8, 2022 election, regarding a \$2500 late fee assessed for filing his 2021 Tier 2 candidate personal financial disclosure 111 days late. On motion made, seconded and passed by a vote of 7 yeas by Board Members Bãnos, Couvillon, Ellis, Grimley, Roberts, Scott and Speer, and 1 nay by Board Member Colomb, the Board declined to waive the \$2,500 late fee.

The Board considered a waiver request in Docket No. 22-1013 submitted by Jerry Lewis, successful candidate for Council Members, City of Grambling, Lincoln Parish in the November 8, 2022 election, regarding a \$2500 late fee assessed for filing his 2021 Tier 2 candidate personal financial disclosure 118 days late. On motion made, seconded and passed by a vote of 6 yeas by Board Members Bãnos, Couvillon, Grimley, Roberts, Scott and Speer, and 2 nays by Board Members Colomb and Ellis, the Board declined to waive the \$2,500 late fee.

The Board considered a waiver request in Docket No. 23-029 submitted by Opal J. "Nell" Finlay, successful candidate for Alderman, Village of Dixie Inn, Webster Parish, in the

November 8, 2022 election, regarding a \$500 late fee assessed for filing her 2021 Tier 3 candidate personal financial disclosure 83 days late. On motion made, seconded and passed by a vote of 6 yeas by Board Members Bãnos, Couvillon, Grimley, Roberts, Scott and Speer, and 2 nays by Board Members Colomb and Ellis, the Board declined to waive the \$500 late fee.

The Board considered a reconsideration request in Docket No. 21-551 regarding the Board’s decision to suspend all but \$1,050 of a \$1,500 late fee, based on future compliance, assessed against James Russell Fatic, St. Tammany Community Action Agency, for filing his 2018 Tier 2.1 annual personal financial disclosure 489 days late. On motion made, seconded and unanimously passed, the Board affirmed its prior decision and instructed the staff to notify Mr. Fatic that the \$1050 is payable within 20 days and if payment is not received within 20 days, the full amount of the late fee becomes due and owing.

On motion made, seconded and unanimously passed, the Board adjourned at 12:49 p.m.

Secretary

APPROVED:

Chairwoman