

LOUISIANA BOARD OF ETHICS  
MINUTES  
May 6, 2022

The Board of Ethics met on May 6, 2022 at 9:03 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 Baños, Bryant, Colomb, Couvillon, Ellis, Grand, Lavastida, Roberts, Scott and Speer present. Board Member Grimley was absent. Also present were the Executive Secretary, Carolyn Abadie Landry, and Counsel Tracy Barker, David Bordelon, LaToya Jordan, Charles Reeves and Gregory Thibodeaux.

Board Member Grimley arrived at 9:08 A.M.

Edwin Fenasci and John L. Duvieilh appeared before the Board in Docket No. 22-287 for an advisory opinion concerning a company owned by Rep. Dustin Miller entering into a contract with the Louisiana Horsemen's Benevolent & Protective Association 1993, Inc. ("HBPA"). After hearing from Mr. Fenasci and Mr. Duvieilh, on motion made, seconded and unanimously passed, the Board concluded that Section 1113D of the Code of Governmental Ethics does not prohibit Rep. Miller and Acadiana Practitioners LLC from entering into a contract with HBPA. The Board also concluded that La. R.S. 27:373A(2) does not prohibit Rep. Miller and Acadiana Practitioners LLC from entering into a contract with HBPA to provide medical services. However, Rep. Miller is prohibited by R.S. 27:373A(2) from providing compensated medical services to a person who holds a licensed issued pursuant to the Pari-Mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act.

Sanettria Glasper Pleasant appeared before the Board in Docket No. 22-290 requesting the approval of a disqualification plan submitted from Louisiana Department of Transportation and Development ("DOTD"), allowing DOTD to hire Preston Brock, the husband of DOTD employee

Kimberly Brock, as a Highway Foreman 1. On motion made, seconded and unanimously passed, the Board approved the proposed disqualification plan.

Cherise Picard appeared before the Board in Docket No. 22-325 requesting an advisory opinion concerning the application of the Code of Governmental Ethics to Chez Hope, Inc. entering into a contract with an accounting firm that employs a former board member's son. On motion made, seconded and unanimously passed, the Board concluded that Chez Hope, Inc.'s board members are not subject to the provisions of the Code of Governmental Ethics. Accordingly, the Board declined to answer the question concerning the propriety of the accounting firm entering into a contract with Chez Hope, Inc., since the issue is not under the Board's jurisdiction.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G4-G12 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 G4-G12, excluding item G4, G6, G8 and G11 taking the following action:

The Board allowed the withdrawal of an advisory opinion request in Docket No. 22-095 from Phillip Jackson, Administrator of the Caddo-Shreveport Sales and Use Tax Commission, regarding his service on his local Home Owners Association Board of Directors.

The Board considered an advisory opinion request in Docket No. 22-196 submitted by George Meyer, III, regarding post-employment provisions as a former employee of the Louisiana Housing Corporation ("LHC"). On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics will not prohibit Mr. Meyer from providing uncompensated services in a transaction or in an appearance in connection with a transaction involving the HOME Department of LHC.

The Board allowed the withdrawal of an advisory opinion request in Docket No. 22-213 submitted by Kathryn Lafrentz regarding whether the Code of Governmental Ethics would prohibit The Pro Bono Project from appointing a curator for absent defendants.

The Board considered an advisory opinion request in Docket No. 22-220 from Karla Courtade, an employee with the Louisiana Department of Transportation and Development, regarding post-employment restrictions. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics would not prohibit Ms. Courtade from being employed as an analyst with CARTS at LSU.

The Board considered a request for approval of a disqualification plan in Docket No. 22-243, submitted by Louisiana Public Service Commission (“LPSC”), relating to Brandon Frey and Melissa Frey. On motion made, seconded and unanimously passed, the Board approved the proposed disqualification plan regarding the employment of Melissa Frey, the sister-in-law of LPSC employee, Brandon Frey, as an administrative law judge within LPSC’s Administrative Law Division.

The Board considered an advisory opinion request in Docket No. 21-902 from Andrea Bryant, a Child Welfare Supervisor in the Foster Care Program with the Department of Children and Family Services (“DCFS”) relative to outside employment restrictions. On motion made, seconded and unanimously passed, the Board concluded that Section 1111C(2)(d) prohibits Andrea Bryant from working for Guardian Angels Place, LLC, since it contracts with her agency, and Ms. Bryant can place children at Guardian Angels Place.

The Board considered an advisory opinion request in Docket No. 22-195 submitted by Sara Andrews, Business Manager for the LaSalle Parish School System, regarding the payment of registration fees for coaches to attend a football coaching clinic run by an employee of Jena High School. On motion made, seconded and unanimously passed, the Board concluded that Section 1113A of the Code of Governmental Ethics prohibits Ikey Ray and his sole proprietorship, Boot Up

Football Clinic from entering into a transaction with Jena High School for the payment of registration fees for coaches to attend the Boot Up Football Clinic.

The Board considered an advisory opinion request in Docket No. 22-204 submitted by Mr. Earnest Mitchell, Fire Chief, Caddo Parish Fire District 3, regarding the appointment of John Prock as a board member while his son-in-law is employed at Fire District 3. On motion made, seconded and unanimously passed, the Board concluded that Section 1113B of the Code of Governmental Ethics does not prohibit John Prock from being appointed by the Town of Greenwood as a member of the Fire District Board. The Board further concluded that Section 1119A does not prohibit the continued employment of Jason McMullen by the Fire District, in the event his father-in-law, John Prock, is appointed as a member of the Fire District Board, since Mr. McMullen meets the one-year exception contained in Section 1119C(2) of the Code of Governmental Ethics. Finally, the Board concluded that Section 1112B(1) of the Code of Governmental Ethics prohibits John Prock from participating in any transaction in which his son-in-law, Jason McMullen, has a substantial economic interest. Mr. Prock shall recuse himself from any discussion, debate, and vote on any such matter pursuant to Section 1120.4 of the Code of Governmental Ethics.

Board Member Grand recused himself from Docket No. 22-238.

The Board considered an advisory opinion request in Docket No 22-238 submitted by Wilfred Barry, on behalf of SJB Group, LLC, as to whether SJB Group may enter into transactions with Pointe Coupee Parish. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics would not prohibit SJB Group, LLC, from entering into a transaction with the Parish; however, Ms. Tonilyn Guidry would not be permitted to participate in transactions involving SJB Group since her sister, Jacquelyn des Bordes is president of and owns an interest in SJB Group. A disqualification plan should be submitted for the Board's consideration and approval. Also, Ms. des Bordes will have to file a financial disclosure statement annually by May 15

disclosing her income from SJB Group received in the prior year pursuant Section 1114 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 April 7<sup>th</sup> and April 8<sup>th</sup>, 2022 meetings.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered the assessment of enhanced penalties in Docket No. 21-129 regarding Lisa Chafford, candidate for City Marshal, City Court, City of Bastrop, in the November 3, 2020 election, for her failure to file a 30-P campaign finance disclosure report. On motion made, seconded and unanimously passed, the Board instructed the staff to close the file since Ms. Chafford filed the 30-P campaign finance disclosure report.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered the assessment of an enhanced penalty in Docket No. 22-113 regarding Jeannie F. McCullen, candidate for Alderman, Town of Franklinton, Washington Parish, in the November 3, 2020 election, for her failure to file 10-G and 40-G campaign finance disclosure reports. On motion made, seconded and unanimously passed, the Board instructed the staff to assess penalties in accordance with Section 1505.4A(4)(a) and (b) of the Campaign Finance Disclosure Act in connection with the 10-G and 40-G campaign finance disclosure reports in the amount of a \$10,000 civil penalty for each report.

Kristy Gary presented an update to the Board on proposed legislation during the 2022 Regular Legislative Session. No action was taken.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a waiver request in Docket No. 21-620, for a waiver of the \$560 campaign finance late fee assessed against Craig Marks, a candidate for Councilman, District F, City of Lake Charles, Calcasieu

Parish, in the March 20, 2021 election, whose 30-P campaign finance disclosure report was filed 14 days late. On motion made, seconded and unanimously passed, the Board reduced the late fee to \$160 based on evidence Mr. Marks provided as to the date of his initial attempt to mail the report and declined to waive.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a waiver request in Docket No. 21-624, for a waiver of the \$1,000 campaign finance late fee assessed against Lisa McCoy, a candidate for Justice of the Peace Ward 7, Livingston Parish, in the November 3, 2020 election, whose 10-G campaign finance disclosure report was filed 159 days late. On motion made, seconded and unanimously passed, the Board reduced the late fee to \$400 based on Rule 1205C of the Rules for the Board of Ethics and declined to waive.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a waiver request in Docket No. 22-117, for a waiver of the \$2,000 campaign finance late fee assessed against Jamie R. Robinson, a candidate for Councilman, Metro District 7, East Baton Rouge Parish, in the November 3, 2020 election, whose 10-G campaign finance disclosure report was filed 63 days late. On motion made, seconded and unanimously passed, the Board suspended all but \$200 of the late fee, based on future compliance.

The Board considered a lobbying waiver request in Docket No. 22-215 regarding the \$150 late fee assessed against Caroline Lafourcade for the late filing of the January 2022 Lobbying Expenditure Report. On motion made, seconded and unanimously passed, the Board waived the late fee since this is Ms. Lafourcade's first late fee.

The Board considered a lobbying waiver request in Docket No. 22-242 regarding the \$1,500 late fee assessed against Marcus Thomas for filing his 2022 lobbying registration 61 days late. On motion made, seconded and unanimously passed, the Board waived the late fee since this is Mr. Thomas' first late fee.

The Board considered an untimely waiver request in Docket No. 22-202 regarding the \$960 campaign finance late fee assessed against Morgan Clevenger, a candidate for Council Member, District D, Orleans Parish in the November 13, 2021, whose 10-G campaign finance disclosure report was filed 16 days late. On motion made, seconded and unanimously passed, the Board considered the untimely waiver request. On motion made, seconded and unanimously passed, the Board suspended all but \$200 of the late fee based on future compliance since the filer provided evidence that medical issues may have caused both the untimely waiver request, as well as the underlying late filing.

The Board considered a request to reconsider its decision in Docket No. 22-021 to decline to waive a \$520 campaign finance late fee assessed against Charles "Chuck" Lamarche, a candidate for Council Member, District 9, St. Tammany Parish, in the October 12, 2019 election, whose 2020 Supplemental 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 the General Supplemental Agenda.

The Board considered an advisory opinion request in Docket No. 22-076 from Sarah Nash, on behalf of RoyaltyStat, LLC (the "Company"), as to whether the Company may hire a former employee of the Louisiana Department of Revenue ("LDR") to provide certain services to its clients. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics would permit Ms. Fontenot to provide services to the Company which may relate to LDR matters, provided Ms. Fontenot did not participate in those matters during her employment with LDR and did not perform those services for LDR.

The meeting adjourned at 9:48 A.M.

APPROVED:

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Chairwoman

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Secretary