

LOUISIANA BOARD OF ETHICS
MINUTES
April 25, 2014

The Board of Ethics met on April 25, 2014 at 9:00 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 Backhaus, Blewer, Bruneau, Ingrassia, Larzelere, Leggio, Lemke, McAnelly, Monroe, Neal and Shelton present. Also present were the Ethics Administrator, Kathleen Allen; the Executive Secretary, Deborah Grier; and Counsel Tracy Barker, Mike Dupree, Jennifer Land, Suzanne Mooney and Brett Robinson.

Mr. Gerard Frey, a member of the Acadia Soil & Water Conservation District, appeared before the Board in connection with a second request in Docket No. 12-1120 for reconsideration of a waiver of the \$1,500 late fee assessed against him for filing his 2009 Tier 2.1 Annual personal financial disclosure statement 364 days late. After hearing from Mr. Frey, on motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee but suspended \$1,000 conditioned upon future compliance with the Code of Governmental Ethics and with the option to enter into a payment plan.

Mr. Robert Rieger, attorney for Suddenlink Louisiana PAC, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 13-1133 for a waiver of the \$2,000, \$2,000, \$2,000 and \$2,000 late fees assessed against the committee for filing the 90-P, 30-P, 10-P and 10-G campaign finance disclosure reports 243, 181, 161 and 131 days late, respectively. After hearing from Mr. Rieger, on motion made, seconded and unanimously passed, the Board declined to waive the \$2,000, \$2,000, \$2,000 late fees assessed in connection with the 90-P, 30-P and 10-P reports but suspended \$1,000 of each

late fee for those reports conditioned upon future compliance with the Campaign Finance Disclosure Act and waived the \$2,000 late fee in connection with the 10-G report.

The Board considered a request for reconsideration in Docket No. 13-1285 for a waiver of the \$1,500 late fee assessed against Terri Brock, a former member of the Louisiana Emergency Response Network, for filing her 2010 Tier 2.1 Annual personal financial disclosure statement 319 days late. The Board temporarily deferred the matter until later in the meeting.

Mr. Elton Nathaniel Jordan, a St. Tammany Parish Constable, appeared before the Board in connection with an untimely request for reconsideration in Docket No. 13-1296 for a waiver of the \$2,500 late fee assessed against him for filing his 2012 Tier 2 Annual personal financial disclosure amendment 41 days late. After hearing from Mr. Jordan, on motion made, seconded and unanimously passed, the Board declined to waive the \$2,500 late fee but suspended \$2,400 conditioned upon future compliance with the Code of Governmental Ethics.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request for reconsideration in Docket No. 13-1583 for a waiver of the \$250 late fee assessed against Don Carmardelle, Jr., a candidate for Jefferson Parish Councilman, District 1, in the October 22, 2011 election, for filing his 30-P campaign finance disclosure report 15 days late. The Board temporarily deferred the matter until later in the meeting.

The Board considered an untimely request in Docket No. 14-033 for a waiver of the \$2,500 late fee assessed against Thomas Cade Benoit, a member of the Acadia Parish Police Jury, for filing his 2010 Tier 2 amended Annual personal financial disclosure statement 170 days late and the \$2,500 late fee assessed for filing his amended 2010 Tier 2 Candidate personal financial disclosure statement 170 days late. On motion made, seconded and unanimously passed, the Board continued

the matter.

The Board considered an untimely request in Docket No. 14-048 for a waiver of the \$700 late fee assessed against Katherine Conklin, a member of the ReNew Schools Charter, for filing her 2012 Tier 3 Annual personal financial disclosure statement 14 days late. On motion made, seconded and unanimously passed, the Board continued the matter.

The considered a request in Docket No. 14-106 for a waiver of the \$1,500 late fee assessed against Oscar "O.P." Goody, a member of the Moreauville Board of Aldermen, Avoyelles Parish, for filing his 2010 Tier 3 Annual personal financial disclosure statement 174 days late. On motion made, seconded and unanimously passed, the Board continued the matter.

Ms. Anne Wolfe Nicolay, report preparer for Vincent Culotta, Jr., a candidate for Orleans Parish Coroner in the February 1, 2014 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 14-192 for a waiver of the \$700 late fee assessed against Mr. Culotta for filing his Special campaign finance disclosure report 7 days late. After hearing from Ms. Nicolay, on motion made, seconded and unanimously passed, the Board declined to waive the \$700 late fee.

The Board considered a request in Docket No. 14-220 for a waiver of the \$2,500 late fee assessed against Mary Theresa Baker, Union Parish Assessor, for filing her 2010 amended Tier 2 Annual personal financial disclosure statement 523 days late. On motion made, seconded and unanimously passed, the Board continued the matter.

Mr. Nickie Monica, former State Representative, District 57, appeared before the Board in connection with a request in Docket No. 14-222 for a waiver of the \$2,500 late fee assessed against him for filing his 2012 Tier 2 Annual personal financial disclosure statement 47 days late. After

hearing from Mr. Monica, on motion made, seconded and unanimously passed, the Board declined to waive the \$2,500 late fee but suspended the entire late fee conditioned upon future compliance with the Code of Governmental Ethics.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-263 for a waiver of the \$1,400 late fee assessed against D. Nicole Sheppard, a candidate for Judge, Traffic Court, Division D, Orleans Parish in the October 19, 2013 election, for filing her 10-G campaign finance disclosure report 14 days late. On motion made, seconded and unanimously passed, the Board continued the matter.

Mr. Cedric Grant, Deputy Mayor for Facilities, Infrastructure and Community Development of New Orleans, and Mr. Terry Ryder, on behalf of the City of New Orleans, appeared before the Board in connection with a request for an advisory opinion in Docket No. 14-282 regarding whether Mr. Grant may accept employment to the position of Executive Director for the Sewerage and Water Board (SWB) of New Orleans. After hearing from Mr. Grant and Mr. Ryder, on motion made, seconded and passed by a vote of 6 yeas by Board Members Backhaus, Bruneau, Ingrassia, Larzelere, Leggio, and Neal and 5 nays by Board Members Blewer, Lemke, McAnelly, Monroe and Shelton, the Board concluded that Section 1121A(2) of the Code of Governmental Ethics would prohibit Cedric Grant, for a period of two years following the termination of his position as representative of the Mayor on the Sewerage and Water Board of New Orleans, from being employed as the Executive Director or in any other capacity with the Sewerage and Water Board of New Orleans, since by virtue of Mr. Grant's designation as the Mayor's representative on the SWB, Mr. Grant was a member of the SWB subjecting him to the prohibitions under Section 1121A(2) of the Code of Governmental Ethics.

The Board considered a request for reconsideration in Docket No. 13-1285 for a waiver of the \$1,500 late fee assessed against Terri Brock, a former member of the Louisiana Emergency Response Network, for filing her 2010 Tier 2.1 Annual personal financial disclosure statement 319 days late. On motion made, seconded and unanimously passed, the Board continued the matter.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request for reconsideration in Docket No. 13-1583 for a waiver of the \$250 late fee assessed against Don Carmardelle, Jr., a candidate for Jefferson Parish Councilman, District 1, in the October 22, 2011 election, for filing his 30-P campaign finance disclosure report 15 days late. On motion made, seconded and unanimously passed, the Board continued the matter.

Mr. Raymond Bernard, a former member of the Port of Iberia District Board of Commissioners, appeared before the Board in connection with a request for an advisory opinion in Docket No. 14-171 regarding whether he may be appointed as the interim Executive Director of the Port of Iberia District. After hearing from Mr. Bernard, on motion made, seconded and unanimously passed, the Board concluded that (1) Section 1121A(2) of the Code of Governmental Ethics would prohibit Mr Bernard from being employed by or appointed to any position by the Port of Iberia District Board of Commissioners within two years of his resignation date of June 28, 2012. Therefore if Mr Bernard is employed or appointed to the position of Interim Director on or after June 29, 2014, no prohibition is presented under the Code of Governmental Ethics ; (2) no violation of the Code of Governmental Ethics is presented by the employment of Mr. Bernard as the Interim Director of the Port of Iberia District while his brother-in-law, Mark Dore, serves as a member of the Port of Iberia District Board of Commissioners, since Mr. Bernard is not consider an immediate family member of Mr. Dore; and, (3) Mr. Dore is not prohibited in the hiring or appointment of Mr

Bernard as Interim Director, since Mr. Bernard is not considered an immediate family member of Mr. Dore.

The Board recessed at 10:23 a.m. and resumed back into general business session at 10:33 a.m.

On motion made, seconded and unanimously passed, the Board adopted the following general consent agenda items:

Adopted for publication, the proposed consent opinion in Docket No. 09-945 in which Claudet & Rome, LLC agrees that a violation of Section 1113A of the Code of Governmental Ethics occurred when the company applied for a side yard variance for placement of an awning with the Houma Board of Adjustments, a unit of the Terrebonne Parish Consolidated Government (TPCG), while Michael Claudet, brother of Denise Rome, served as President of the TPCG and in which no fine is to be imposed. The consent opinion further ordered that with the signing of the consent opinion by a representative of Claudet & Rome, LLC, charges filed against Robert Rome will be dismissed. Board Member Leggio recused himself.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G15-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 items G15-G32, excluding items G15, G19, G20, G21, G23, G24, G25 and G28, taking the following action:

Allowed the withdrawal of the request for an advisory opinion in Docket No. 14-071 regarding whether the Code of Governmental Ethics would prohibit the daughter of Marianne Williber the Executive Director of Bunkie Housing Authority, Avoyelles Parish, from becoming a

tenant of the housing authority, since Ms. Williber's daughter, Frankie Williber has withdrawn her application for public housing and resides with a private landlord.

Adopted an advisory opinion in Docket No. 14-173 concluding that no violation of the Code of Governmental Ethics is presented by Roy Pontiff, the current Executive Director of the Port of Iberia District Board of Commissioners, being appointed as a member of the Port of Iberia District Board of Commissioners following his retirement; however, Mr. Pontiff would be precluded from receiving compensation from or assisting any person in a transaction or appearance in connection with the Port of Iberia District Board of Commissioners for a period of two years subsequent to the date of his retirement, August 31, 2014.

Allowed the withdrawal of the request for an advisory opinion in Docket No. 14-197 regarding Elizabeth H. Surles, a court reporter for the 14th Judicial District Court, being able to type previously recorded court appearances following her retirement as long as she is not paid by her former employer, since Ms. Surles received a reply from the Parochial Employees Retirement System Board with reference to her question.

Adopted an advisory opinion in Docket No. 14-216 concluding that Section 1119A of the Code of Governmental Ethics prohibits the employment of Ryan Kauffman by the Port Allen Police Department while his father, Captain Ron Kauffman, serves as the Chief Administrator for the Port Allen Police Department and the head of the Criminal Patrol Division, since as Chief Administrator, Captain Ron Kauffman would be considered an agency head of the Port Allen Police Department.

Adopted an advisory opinion in Docket No. 14-230 concluding that no violation of the Code of Governmental Ethics is presented by Daniel Rees, former Executive Counsel for the Office of Community Development Disaster Recovery Unit (OCD-DRU) within the Division of

Administration, providing non-legal services as a subcontractor to a grant management firm which is seeking a contract with OCD-DRU to provide grant management services related to grant administration for Hurricanes Katrina, Rita, Gustav, Ike and Isaac, since Mr. Rees will not be providing the same services under contract to OCD-DRU and he will not be assisting another person for compensation in transactions in which he participated while employed by OCD-DRU.

Adopted an advisory opinion in Docket No. 14-236 concluding that Section 1113B of the Code of Governmental Ethics prohibits Wayne Landry from being employed with the St. Bernard Parish Hospital while serving as a member of the St. Bernard Parish Hospital Service District.

Due to lack of subject matter jurisdiction, declined to render an advisory opinion in Docket No. 14-241 regarding whether Aquicline Rener-Arnold may maintain her employment with the St. Mary Parish School Board as an accounting clerk if elected to State Representative, District 49.

Adopted an advisory opinion in Docket No. 14-243 with respect to whether the law firm of Dwyer, Cambre and Suffern, may provide legal services to Jefferson Parish at a time when the spouse of Stephen Dwyer, Jennifer Van Vrancken, as well as his son, Jeremy Dwyer, are employed with Jefferson Parish concluding that (1) the contract between the law firm and Jefferson Parish, as presented, would violate Section 1113 of the Code of Governmental Ethics, since due to Ms. Van Vrancken's position as the Chief Operation Officer (COO) of Jefferson Parish, she is considered an agency head and her agency is Jefferson Parish. As such, Section 1113 of the Code of Governmental Ethics prohibits the law firm, of which Mr. Stephen Dwyer is managing partner, from entering into a contract or transaction under the supervision or jurisdiction of the agency of his spouse, Jennifer Van Vrancken; (2) Section 1111C(2)(d) of the Code of Governmental Ethics serves to prohibit the law firm from contracting with Jefferson Parish. If a contract was entered into between Jefferson

Parish and the law firm, any thing of economic value received by Mr. Stephen Dwyer would present a prohibited compensation problem for Ms. Van Vrancken. As a public servant, Ms. Van Vrancken is prohibited by Section 1111C(2)(d) of the Code of Governmental Ethics from receiving any thing of economic value for services provided to or for a person that has or seeks a contractual relationship with the public servant's agency; (3) because of the prohibitions from the law firm entering into the contract with Jefferson Parish due to the provisions of Sections 1113 and 1111C(2)(d) of the Code of Governmental Ethics, the Board does not opine as to whether the law firm is prohibited from contracting with Jefferson Parish due to the employment of Mr. Dwyer's son, Jeremy, with Jefferson Parish Department of Research and Budget; and (4) since Mr. Louis G. Gruntz, Jr. retired from Jefferson Parish in 2011, he is beyond the 2 year post-employment restrictions contained in the Code of Governmental Ethics. As such, his contractual relationship with the law firm, or his status as a second cousin of Mr. Stephen Dwyer has no bearing on the law firm's inability to contract with Jefferson Parish.

Adopted an advisory opinion in Docket No. 14-413 concluding that no violation of the Code of Governmental Ethics is presented by a member of the South Louisiana Economic Council (SLEC) Board of Directors participating in contracts involving the SLEC, since SLEC is a private entity and is not subject to provisions of the Code of Governmental Ethics. As such, a board member is not prohibited from participating in projects under the supervision and jurisdiction of the SLEC.

Adopted for publication, a consent opinion in Docket No. 13-425 in which Ray Lee Mills, a member of the Cullen Town Council, agrees that violations of Sections 1112A and 1113A of the Code of Governmental Ethics occurred by his participation in and being appointed to the position of Mayor of the Town of Cullen and in which Mr. Mills agrees to pay a fine of \$500.

Adopted an advisory opinion in Docket No. 14-174 concluding that no violation of the Code of Governmental Ethics is presented by Valerie Horton, a former employee of the Department of Transportation and Development (DOTD), seeking employment as a consultant to work on new projects with DOTD provided that Ms. Horton does not assist another person in transactions with her former agency in which she participated in at any time during her public employment.

Adopted an advisory opinion in Docket No. 14-182 concluding that no violation of the Code of Governmental Ethics is presented by W.L. Gaiennie Company (WLGC), of which Charles Gaiennie owns 90%, entering into a contract to provide public relations materials for the Terrebonne Parish School Board while Mr. Gaiennie's wife, Elisabeth Gaiennie, is employed as a teacher at a school within the Terrebonne Parish school system, Oaklawn Junior High School, since WLGC would be contracting with the Terrebonne Parish School Board and not with Mrs. Gaiennie's agency, Oaklawn Junior High School. The Board further concluded that Section 1113A(1)(a) of the Code of Governmental Ethics would prohibit WLGC from performing public relations work for Oaklawn Junior High School.

Adopted an advisory opinion in Docket No. 14-183 concluding that, based on the unique circumstances presented, no violation of the Code of Governmental Ethics is presented by Dr. John Sebatier and Dr. Ghulam Arain, former employees of Bogalusa Medical Center (BMC), contracting with LSU Health Care System to provide services at Our Lady of the Angels Hospital (OLOAH), since Dr. Sebatier and Dr. Arain's agency was the BMC which will cease to exist once the partnership with OLOAH is effective. Therefore, Dr. John Sebatier's and Dr. Ghulam Arain's contracts with LSU Health Care Systems are not prohibited by Section 1121 of the Code of Governmental Ethics as they will not be contracting to provide services to their former agency,

BMC.

Deferred consideration of a request for an advisory opinion in Docket No. 14-201 regarding whether Aaron Peloquin, an employee of Stine Lumber, may be appointed as a Commissioner of the Iowa Housing Authority at a time when the Iowa Housing Authority has a business relationship with Stine Lumber and instructed the staff to obtain additional information.

Due to lack of subject matter jurisdiction, declined to render an advisory opinion in Docket No. 14-207 regarding whether a full-time police officer may run in the election for full-time police chief in a Lawrason Act municipality.

Adopted an advisory opinion in Docket No. 14-213 concluding that no violation of the Code of Governmental Ethics is presented by Allen R. Hulbert, a full time employee of the West Allen Parish Water District, also working as a part time police officer for the Village of Reeves, since if Mr. Hulbert was hired as a part time police officer, his agency would be the Village of Reeves Police Department whose agency head would be the police chief and, as stated, Mr. Hulbert is not related to the Village of Reeves Police Chief.

Adopted an advisory opinion in Docket No. 14-235 concluding that no violation of the Code of Governmental Ethics is presented by a company in which Jonathan Walker, an employee of the Office of Planning and Budget (OPB) within the Division of Administration, is a part owner contracting with the Department of Transportation and Development (DOTD), since Mr. Walker's agency is the OPB. The Board further advised that Mr. Walker may attain further advice on all possible contractual prohibition from the State of Louisiana, Office of Contractual Review.

Accepted for filing, the disclosure statements filed in Docket No. 14-193 for January, 2014.

Accepted for filing, the disclosure statements filed in Docket No. 14-257 for February, 2014.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the March 20-21, 2014 meetings.

The Board considered a request for an advisory opinion in Docket No. 14-051 regarding the creation of a structure on the property of James Wood, Fire Chief for Fire District No. 1 of West Feliciana, to house the fire district's fire engine. On motion made, seconded and unanimously passed, the Board (1) declined to render an opinion on the proper use of public funds for housing a fire engine; however, the Board concluded that no violation of the Code of Governmental Ethics is presented by Chief Wood having a temporary structure built on his property to house a fire engine which would be removed after a termination of use by the Fire District of the structure and would result in his property being restored to its original condition prior to the structure being placed on the property; and, (2) that if a tax credit is taken for the donation of the leased area, it would not be considered a true donation and a violation of Section 1113A(1) of the Code of Governmental Ethics would occur.

The Board considered proposed legislation for the 2014 Regular Legislative Session that will affect the laws administered or the process of the Board of Ethics, including the Code of Governmental Ethics, the Campaign Finance Disclosure Act, and the Legislative, Executive and Local Lobbying Disclosure Acts. Following an overview of newly proposed legislation provided by Ms. Allen, the Board reviewed the proposed legislation filed in connection with the 2014 Regular Legislative Session and on motion made, seconded and unanimously passed, took the following action:

HB 500	Support
HB 1079	Support
HB 1168	Oppose
HB 1269	No Position
SB 595	No Position
SB 677	No Position

Ms. Allen advised the Board that a chart had been created indicating the status of the bills and that Board members will receive a copy of the Legislative chart every Friday for review.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board unanimously agreed to take action on the items contained in the Campaign Finance Waiver Chart 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 Campaign Finance Waiver Chart, excluding Docket Nos. 14-191, 14-211, 14-262 and 14-298, taking the following action:

The Board considered requests for “good cause” waivers of late fees assessed against the following candidates and adopted the staff recommendations on the requests:

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

Docket No. 14-261 from Timothy Roussel of a \$360 late fee;
Docket No. 14-297 from Mel Percy of a \$120 late fee; and,
Docket No. 14-300 from David Cappaso of a \$600 late fee, a \$720 late fee and a \$360 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-191 for a waiver of the \$1,020 and \$60 late fees assessed against Carlos James Williams, Jr., a candidate for City Council, District C., Orleans Parish in the February 1, 2014 election, for filing his 30-P and 10-G campaign finance disclosure reports 17 days and 1 day late. On motion made, seconded and unanimously passed, the Board declined to waive

the \$1,020 late fee in connection with the 30-P report but suspended \$520 conditioned upon future compliance with the Campaign Finance Disclosure Act and waived the \$60 late fee in connection with the 10-G report.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-211 for a waiver of the \$360 late fee assessed against Asa Allen Skinner, a candidate for District Attorney, 30th Judicial court, Vernon Parish in the October 4, 2008 election, for filing his 2013 Supplemental campaign finance disclosure report 6 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$360 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-262 for a waiver of the \$440 and , \$1,000 late fees assessed against Marsha Lincoln-LeJeune, a candidate for Plaquemines Parish Council, District 7, in the October 2, 2010 election, for filing her Special and 10-P campaign finance disclosure reports 11 and 26 days late. On motion made, seconded and unanimously passed, the Board declined to waive the late fees totaling \$1,440 but suspended \$1,240 of the late fees conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-298 for a waiver of the \$800 late fee assessed against Ellen M. Hazeur, a candidate for Judge, Civil District Court, Division B, Orleans Parish in the October 22, 2011 election, for filing her 2013 Supplemental Report 8 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$800 late fee.

The Board unanimously agreed to take action on the items contained in the Lobbyist Waiver Chart 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 Lobbyist Waiver Chart taking the following action:

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

Docket No. 13-1781 from Jennifer Pappan of a \$50 late fee;
Docket No. 14-227 from Jennifer Pappan of a \$500 late fee;
Docket No. 14-275 from Don Hidalgo of a \$200 late fee; and,
Docket No. 14-411 from Ronnie E. Duncan of a \$1,500 late fee and a \$500 late fee.

The Board considered a request in Docket No. 14-260 for a waiver of the \$1,500 late fee assessed against Robert Baumann for his failure to timely file a Lobbyist Supplemental Registration.

On motion made, seconded and unanimously passed, the Board waived the \$1,500 late fee, since Mr. Baumann incorrectly entered his employment date with his company, rather than the date in which he was required to register due to lobbying activities and the information has since been amended.

The Board unanimously agreed to take action on the items contained in the Personal Financial Disclosure Waiver Chart 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 Personal Financial Disclosure Waiver Chart, excluding Docket No. 13-1366, taking the following action:

The Board considered requests for “good cause” waivers of late fees assessed against the following individuals and adopted the staff recommendations on the requests:

The Board considered a request in Docket No. 14-042 for a waiver of the \$1,500 late fee assessed against Kenneth W. Brockner, a member of the Columbia Town Council, Caldwell Parish, for filing his 2010 Tier 3 Annual personal financial disclosure statement 434 days late and a \$1,500 late fee assessed for filing his 2011 amended Tier 3 Annual personal financial disclosure statement

189 days late. On motion made, seconded and unanimously passed, the Board declined to waive the late fees totaling \$3,000.

The Board considered a request in Docket No. 14-217 for a waiver of the \$1,000 late fee assessed against Jodi Aamodt, a member of the Kipp New Orleans Charter School, for filing her 2011 Tier 3 Annual personal financial disclosure statement 20 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,000 late fee but suspended \$750 conditioned upon future compliance with the Code of Governmental Ethics and to be paid within 30 days of receipt of new order, or the suspended balance will become due and owing.

The Board considered a request in Docket No. 14-218 for a waiver of the \$300 late fee assessed against James Johnston, a member of the DeSoto Parish School Board, for filing his 2011 Tier 3 Annual personal financial disclosure statement 6 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$300 late fee but suspended \$50 conditioned upon future compliance with the Code of Governmental Ethics and to be paid within 30 days of receipt of new order, or the suspended balance will become due and owing.

The Board considered a request in Docket No. 14-219 for a waiver of the \$300 late fee assessed against Philip Wilson, a member of the LA Developmental Disabilities Council, for filing his amended 2012 Tier 2.1 Annual personal financial disclosure statement 6 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$300 late fee but suspended the entire late fee conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 13-1366 for a waiver of the \$1,500 late fee assessed against Marshall Brumfield, a member of the Louisiana Commission on Human Rights, for

filing his amended 2011 Tier 2.1 Annual personal financial disclosure statement 150 days late and reconsideration of an untimely request for a waiver of the \$1,500 late fee assessed for filing his 2010 Tier 2.1 Annual personal financial disclosure statement 299 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee in connection with the 2011 Tier 2.1 Annual personal financial disclosure statement and rescinded the \$1,500 late fee in connection with the 2010 Tier 2.1 Annual personal financial disclosure statement, since after further review of the files, it appears that Mr. Brumfield timely filed his 2010 Tier 2.1 Annual personal financial disclosure statement.

The Board considered an untimely request in Docket No. 12-920 for reconsideration of a waiver of the \$1,500 late fee assessed against Richard Fuller, a member of the Desoto Parish Police Jury, for filing his 2010 Tier 3 Candidate personal financial disclosure statement 33 days late. On motion made, seconded and unanimously passed, the Board affirmed the prior decision to decline to waive the \$1,500 late fee.

The Board considered an untimely request in Docket No. 13-1107 for a waiver of the \$1,500 late fee assessed against Otis Wilson, a member of the West Feliciana Parish Police Jury, District 7, for filing his 2009 Tier 3 Annual personal financial disclosure statement 608 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee.

The Board considered an untimely request in Docket No. 13-1152 for reconsideration of a waiver of the \$2,500 late fee assessed against Benjamin Ruiz, St. Bernard Parish Constable, for filing his 2011 Tier 2 Annual personal financial disclosure statement 38 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$2,500 late fee but suspended \$2,000 conditioned upon future compliance with the Code of Governmental Ethics and with an

option to enter into a payment plan.

The Board considered a request in Docket No. 13-1117 for reconsideration of a waiver of the \$2,500 late fee assessed against Lucien Gauff, III, a member of the St. John the Baptist Parish Council, for filing his 2010 Tier 2 Annual personal financial disclosure statement 355 days late. On motion made, seconded and unanimously passed, the Board affirmed the prior decision to decline to waive the \$2,500 late fee.

The Board considered an untimely request in Docket No. 13-1145 for reconsideration of a waiver of the four \$1,500 late fees assessed against John Pourciau, a member of the Pointe Coupee Parish Police Jury, for filing his 2009 Tier 3 Annual personal financial disclosure statement 309 days late; for filing his 2010 Tier 3 Annual personal financial disclosure statement 309 days late; for filing his 2010 Tier 3 Candidate personal financial disclosure statement 97 days late; and for filing his 2011 Tier 3 Annual personal financial disclosure statement 49 days late. On motion made, seconded and unanimously passed, the Board affirmed the prior decision to decline to waive the late fees totaling \$6,000 and instructed the staff to offer Mr. Pourciau the option of entering into a payment plan.

The Board considered a request in Docket No. 13-1264 for reconsideration of a waiver of the \$2,500 late fee assessed against David Edwards, a candidate for Clerk of Court, City of Slidell, for filing his 2010 Tier 2 Candidate personal financial disclosure statement 550 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$2,500 late fee but suspended \$1,500 conditioned upon future compliance with the Code of Governmental Ethics with the option of a payment plan.

The Board considered a request in Docket No. 13-1374 for reconsideration of a waiver of the

\$2,500 late fee assessed against Terance Irvin, a member of the Gonzales City Council, for filing his 2009 Tier 2 Annual personal financial disclosure statement 282 days late. On motion made, seconded and unanimously passed, the Board affirmed the prior decision to decline to waive the \$2,500 late fee but suspended \$2,000 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 13-1509 for reconsideration of a waiver of the \$50 late fee assessed against Jennifer Pappan for her failure to timely file a lobbyist expenditure report. On motion made, seconded and unanimously passed, the Board declined to waive the \$50 late fee.

The Board considered a request in Docket No. 13-1147 for reconsideration of a waiver of the \$1,500 late fee assessed against Jonathan Green, a member of the White Castle Board of Aldermen, for filing his 2009 Tier 3 Candidate personal financial disclosure statement 515 days late and an untimely request for reconsideration of a waiver of the \$1,500 late fee assessed for filing his 2009 Tier 3 Annual personal financial disclosure statement 515 days late. On motion made, seconded and unanimously passed, the Board affirmed the prior decision to decline to waive the late fees totaling \$3,000 and instructed the staff to offer Mr. Green the option of entering into a payment plan.

The Board considered a request in Docket No. 13-1160 for reconsideration of a waiver of the \$1,500 late fee assessed against Jeffery Rose, a St. Landry Parish Constable, for filing his amended 2009 Tier 3 Annual personal financial disclosure statement 556 days late. On motion made, seconded and unanimously passed, the Board affirmed the prior decision to decline to waive the \$1,500 late fee but suspended \$1,000 with a payment plan.

On motion made, seconded and unanimously passed, the Board dismissed charges filed in

Docket No. 11-1644 against Major Construction for entering into transactions to receive loans from the Citizens United for Economic Equity, Inc.

Chairman Monroe provided an update on the litigation in Docket No. 14-152 involving the Fund for Louisiana's Future v. Louisiana Board of Ethics, et al., United State District Court, Eastern District, Case No. 2:14-cv-00368.

On motion made, seconded and unanimously passed, the Board agreed to add Docket No. 12-2111 to the agenda for consideration.

On motion made, seconded and unanimously passed, the Board dismissed charges filed in Docket No. 12-2111 against Dr. Claudia Campbell regarding her receipt of income from Tulane University at a time when it had a contract with her agency, the Louisiana Public Health Institute.

The Board unanimously agreed to consider the following supplemental agenda items:

The Board considered a staff memorandum regarding the dollar amount of food and drink which can be provided to a public servant, per event based on the CPI-U for Food and Beverage. On motion made, seconded and unanimously passed, the Board instructed the staff to proceed with promulgation of the Rule which increases the current value of the food and drink cap to \$58 beginning July 1, 2014.

Ms. Allen provided a status report with respect to the work by the Forms Committee and changes to the LEADERS System. She advised the Board that no feedback was received with respect to the proposed forms. Board Member Bruneau also advised the Board that the Forms Committee may need to have an additional meeting if changes are made during the legislative session. Chairman Monroe commended the members of the Forms Committee and the staff of the Board, House of Representatives and Senate for their assistance with the proposed forms.

Board Member Monroe introduced and welcomed new Board Member, Mark Neal.

The Board unanimously adjourned at 11:53 a.m.

APPROVED:

Secretary

Chairman

