

LOUISIANA BOARD OF ETHICS
MINUTES
February 21, 2014

The Board of Ethics met on February 21, 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 Blewer, Bruneau, Larzelere, Leggio, McAnelly and Monroe present. Absent were Board Members Backhaus, Ingrassia, Lemke and Shelton. Also present were the Ethics Administrator, Kathleen Allen; the Executive Secretary, Deborah Grier; and Counsel Tracy Barker, Aneatra Boykin, Mike Dupree, Jennifer Land, Suzanne Mooney and Brett Robinson.

The Board considered a request in Docket No. 13-822 for a waiver of the \$1,000 late fee assessed against John Landrum, a member of the KIPP New Orleans Charter School Board, for filing his 2011 Tier 3 Annual personal financial disclosure statement 20 days late. The Board temporarily deferred the matter until later in the meeting.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request for reconsideration in Docket No. 13-1089 for a waiver of the \$1,200, \$1,000 and \$1,200 late fees assessed against Pelican State Liberty PAC and Reilly O'Neal, its chairman, for filing three (3) Monthly campaign finance disclosure reports 6, 5 and 6 days late. The Board temporarily deferred the matter until later in the meeting.

Mr. Victor Blanchard, IV, a member of the Livestock Brand Commission, appeared before the Board in connection with a request for reconsideration in Docket No. 13-1299 for a waiver of the \$1,500 late fee assessed against him for filing his 2010 Tier 2.1 Annual personal financial disclosure statement 282 days late. After hearing from Mr. Blanchard, on motion made, seconded and unanimously passed the Board affirmed its prior decision to decline to waive the \$1,500 late fee.

Board Member Lemke arrived at the meeting at 9:16 a.m.

Mr. Michael R. Delesdernier, Other Person in the October 19, 2013 Proposition Election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 13-1708 for a waiver of the \$1,000 late fee assessed against him for filing the Special Report for Propositions campaign finance disclosure report 27 days late. After hearing from Mr. Delesdernier, on motion made, seconded and unanimously passed, the Board declined to waive the \$1,000 late fee but suspended the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act.

Mr. Larry Dale, Other Person in the October 19, 2013 Proposition Election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 13-1709 for a waiver of the \$880 late fee assessed against him for filing the Special Report for Propositions campaign finance disclosure report 22 days late. After hearing from Mr. Dale, on motion made, seconded and unanimously passed, the Board declined to waive the \$880 late fee but suspended the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act.

The Board considered a request in Docket No. 14-026 for a waiver of the \$850 late fee assessed against Freddie Molden, III, a member of the Iberville Parish School Board, for filing his 2011-2012 School Board disclosure statement 17 days late. The Board temporarily deferred the matter until later in the meeting.

Mr. Matthew Nowlin, attorney for Ballard CLC, Inc.; Mr. Bill Branch, President of Ballard CLC, Inc.; and, Colonel William R. Aldridge appeared before the Board in connection with a request for an advisory opinion in Docket No. 14-049 regarding whether Colonel Aldridge, recently retired

from the U.S. Army National Guard, is a former public employee subject to the post-employment provisions in the Code of Governmental Ethics. After hearing from Mr. Nowlin, Mr. Branch and Colonel Aldridge, on motion made, seconded and passed by a vote of 6 yeas by Board Members Blewer, Bruneau, Larzelere, Leggio, Lemke and McAnelly and 1 nay by Board Member Monroe, the Board concluded that no violation of the Code of Governmental Ethics is presented by Colonel Aldridge participating in the design of a MPMG Range for the State Military Department as an employee of Ballard CLC, Inc.

Mr. Joseph Burgess Cornelius, a member of the Minden City Council, Webster Parish, appeared before the Board in connection with a request in Docket No. 13-1798 for a waiver of the \$1,500 late fee assessed against him for filing his 2011 Tier 3 Annual personal financial disclosure statement 131 days late. After hearing from Mr. Cornelius, on motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee but suspended \$1,250 conditioned upon future compliance with the Code of Governmental Ethics.

Mr. George Rabb, a member of the Friends of King School Charter School Board, appeared before the Board in connection with an untimely request in Docket No. 13-1723 for a waiver of the \$250 late fee assessed against him for filing his 2013-2014 School Board disclosure statement 5 days late. After hearing from Mr. Rabb, on motion made, seconded and unanimously passed, the Board declined to waive the \$250 late fee but suspended the entire late fee conditioned upon future compliance with the Code of Governmental Ethics.

Mr. Ernest A. Burguières, a member of the Mandeville City Council, appeared before the Board in connection with a request for an advisory opinion in Docket No. 13-1785 regarding whether he can provide underwriting for an office Christmas Party for city employees. After hearing from

Mr. Burguières, on motion made, seconded and unanimously passed, the Board allowed Mr. Burguières to withdraw his request for an advisory opinion.

The Board considered a request in Docket No. 13-822 for a waiver of the \$1,000 late fee assessed against John Landrum, a member of the KIPP New Orleans Charter School Board, for filing his 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.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request for reconsideration in Docket No. 13-1089 for a waiver of the \$1,200, \$1,000 and \$1,200 late fees assessed against Pelican State Liberty PAC and Reilly O'Neal, its chairman, for filing three (3) Monthly campaign finance disclosure reports 6, 5 and 6 days late. On motion made, seconded and unanimously passed, the Board declined to waive the late fees totaling \$3,400.

The Board considered a request in Docket No. 14-026 for a waiver of the \$850 late fee assessed against Freddie Molden, III, a member of the Iberville Parish School Board, for filing his 2011-2012 School Board disclosure statement 17 days late. On motion made, seconded and unanimously passed, the Board waived \$600 of the \$850 late fee.

The Board recessed at 10:35 a.m. and resumed back into general business session at 10:48 a.m.

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

On motion made, seconded and unanimously passed, the Board agreed to take action on items G7-G25 en globo subject to any items being removed from the en globo listing for further

discussion. On motion made, seconded and unanimously passed, the Board adopted the staff recommendations on items G7-G25, excluding items G9, G11, G13, G16, and G22, taking the following action:

Adopted for publication, a consent opinion in Docket No. 12-2151 in which Bobby C. Hardrick agrees that a violation of Section 1113A of the Code of Governmental Ethics occurred by his company, BCH Services, contracting with Miller-McCoy Charter School (the Academy) in New Orleans while his sister, Tiffany Hardrick, served as co-principal of the Academy and in which Mr. Hardrick agrees to pay a fine of \$5,000.

Absent requested additional information, declined to render an advisory opinion in Docket No. 13-993 regarding a police captain for the Town of Independence and his brother being on the staff.

Absent requested additional information, declined to render an advisory opinion in Docket No. 13-1488 regarding the application of the post employment provisions to George Bendeck, a former employee of the Program Management Team at Jacobs/CSRS representing the Recovery School District and the Orleans Parish School Board in rebuilding schools in New Orleans, working on the Recovery School District and the Orleans Parish School Board rebuilding of schools program as a consultant for an architectural or construction firm.

Allowed the withdrawal of a request for an advisory opinion in Docket No. 13-1570 regarding Mayor Alecia Smith, Town of Homer, authorizing payments to Smith's Medical Supply, a company owned by her husband, since the contract was in place prior to Mayor Smith taking office. The Board further advised that the Town of Homer must submit any future disqualification plan to the Board of Ethics for approval.

Adopted an advisory opinion in Docket No. 13-1770 concluding that no violation of the Code of Governmental Ethics is presented by Maury O. Chatellier, an employee of the Louisiana Coastal Protection and Restoration Authority (LCPRA), accepting employment with Dewberry, a private consulting firm, following the termination of his employment with LCPRA, as long as he does not assist in matters involving the LCPRA's Engineering Division or matters in which he participated at any time during his employment in the Engineering Division.

Adopted an advisory opinion in Docket No. 13-1771 concluding that no violation of the Code of Governmental Ethics is presented by (1) Talisha Chiquet being appointed to the Lafourche Parish Library Board of Control while her father-in-law sits as the Library Branch Administrator and (2) Angelique Torres being appointed to the Lafourche Parish Library Board while her sister is employed as a Library coordinator, since both the father-in-law of Talisha Chiquet and the sister of Angelique Torres have been employed with the Library Board for more than a year prior to Ms. Chiquet or Ms. Torres seeking appointment to the Library Board. The Board further advised that Section 1112B(1) of the Code of Governmental Ethics will prohibit Talisha Chiquet and Angelique Torres from participating in any matters with the Library Board that involve their immediate family members.

Absent specific information, declined to render an advisory opinion in Docket No. 13-1780 regarding whether an educational technology company owned by D. Wallace, a school administrator, can do business with Louisiana schools.

Adopted an advisory opinion in Docket No. 13-1782 concluding that no violation of the Code of Governmental Ethics is presented by Cliff Vanicor, a former employee of the Calcasieu Parish Police Jury (CPPJ), working on federal, state, parish, local or private projects for Fenstermaker in which he has not participated while employed with the CPPJ. The Board further advised that Section

1121B of the Code of Governmental Ethics prohibits Mr. Vanicor, for a period of two years following his termination of employment with the CPPJ, from assisting Fenstermaker on any project in which he participated in as a Professional Engineer for CPPJ, Division of Public Works.

Adopted an advisory opinion in Docket No. 13-1787 concluding that no violation of the Code of Governmental Ethics is presented by Paul Toups, a Louisiana State Trooper, accepting part time employment with a private security company, Alpha Trident Group, since Mr. Toups will not be providing services to Alpha at a time when he should be providing services to the State Police nor will he be performing services for Alpha that are devoted substantially to the operations of the State Police.

Declined to render an advisory opinion in Docket No. 14-004 regarding Natalie Lopez-Robin, a member of the City of New Iberia Council, attending a Mardi Gras ball in South Carolina, since Ms. Robin had withdrawn her request for an advisory opinion because the issue was moot.

Adopted an advisory opinion in Docket No. 14-006 concluding that no violation of the Code of Governmental Ethics is presented by a business, Jules A. Toups, Jr., LLC, owned by Julian A. Toups, Jr., an employee of the Department of Transportation and Development (DOTD), contracting with Meyers Engineers, since Meyers Engineers is not seeking nor does it currently have any contract with DOTD, District 07, administrative gang unit 170. The Board further advised that Mr. Toups' business would be prohibited from contracting with Meyers Engineers if he were to learn that Meyers Engineers has decided to seek a contract with his agency, gang unit 170 of District 07 of DOTD.

Due to lack of standing, declined to render an advisory opinion in Docket No. 14-010 regarding whether Justin Cox, a member of the Pointe Coupee Parish Police Jury, may participate

in the vote to appoint members to the Health Service District Board while he is employed with Acadian Ambulance.

Adopted an advisory opinion in Docket No. 14-011 concluding that Section 1119B(1) of the Code of Governmental Ethics prohibits Andrea Menard, the sister of Breaux Bridge Alderman, Albert Menard, from being hired by the Breaux Bridge police department as a school crossing guard, since Albert Menard is a member of the governing authority in Breaux Bridge.

Adopted an advisory opinion in Docket No. 13-1462 concluding that members of the Interstate Commission on Educational Opportunity for Military Children would not be required to file annual personal financial disclosure statements if the Commission does not have the authority to expend, disburse, or invest \$10,000 or more in funds in a fiscal year and does not have the authority to make recommendations on the expenditure, disbursement, or investment of \$10,000 or more in funds in a fiscal year which recommendations must be followed.

By a vote of 6 yeas by Board Members Blewer, Bruneau, Larzelere, Leggio, McAnelly and Monroe and 1 nay by Board Member Lemke, adopted an advisory opinion in Docket No. 13-1562 concluding that Section 1113 of the Code of Governmental Ethics prohibits David Ratcliff, Program Director for IBTS, from applying for a variance with the Construction Board of Appeals for the City of Central, since Mr. Ratcliff's duties include the supervision of the Municipal Services for the City of Central and his request for a variance will have to go before the Board of Appeals, a board in which he supervises in his role as program manager.

Declined to render an advisory opinion in Docket No. 13-1701 regarding the employment of Kathy Jones-Bruner, a member of the Beauregard Parish School Board, with Rehabilitation Services of SWLA, since the matter involved past conduct.

Declined to render an advisory opinion in Docket No. 13-1776 regarding Pineville City Court Clerks and dual office-holding issues, since the matter involved past conduct. The Board further instructed the staff to advise the requestor that dual office holding questions are handled by the Attorney General's office.

By a vote of 5 yeas by Board Members Blewer, Larzelere, Leggio, McAnelly and Monroe and 2 nays by Board Members Bruneau and Lemke, adopted an advisory opinion in Docket No. 14-005 concluding that Section 1113A(1)(a) of the Code of Governmental Ethics prohibits Jared Menard, owner of Jared's A/C & Heating, LLC, from being hired to perform air conditioner maintenance service for the Vermilion Parish Library following his marriage to Amy Stelly, the Business Manager for the Vermilion Parish Library.

Accepted for filing, the disclosure statements filed in Docket No. 14-039 for December, 2013.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the January 16-17, 2014 meetings.

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.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 13-1695 for a waiver of the \$540, \$600 and \$2,000 late fees assessed against Julie Disotell Harrington, a candidate for State Representative, District 38 in the October 22, 2011 election, for filing her 10-P, EDE-P and 10-G campaign finance disclosure reports 9, 462 and 454 days late. On motion made, seconded and passed by a vote of 6 yeas by Board

Members Blewer, Bruneau, Leggio, Lemke, McAnelly and Monroe and 1 nay by Board Member Larzelere, the Board declined to waive the late fees totaling \$3,140.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 13-1711 for a waiver of the \$200 late fee assessed against LA Association of Conservation District, for filing the October 2013 Monthly campaign finance disclosure report 1 day late. On motion made, seconded and unanimously passed, the Board declined to waive the \$200 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 13-1819 for a waiver of the \$720, \$400 and \$1,000 late fees assessed against Jimmie Randle, a candidate for Selectman, District VI, City of Plaquemine in the October November 6, 2012 Election, for filing his EDE-P, 10-P and 10-G campaign finance disclosure reports 18, 268 and 238 days late. On motion made, seconded and unanimously passed, the Board declined to waive the late fees totaling \$2,120.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 13-1820 for a waiver of the \$600 late fee assessed against Physicans Advocacy PAC LLC, for filing the November 2013 Monthly campaign finance disclosure report 3 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$600 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 13-1821 for a waiver of the \$960 and \$2,000 assessed against William "Van" Howenstine, a candidate for Clerk of Orleans Second City Court, Orleans Parish in the November 6, 2012 election, for filing his 30-P and 10-G campaign finance disclosure reports 16

and 380 days late. On motion made, seconded and unanimously passed, the Board declined to waive the late fees totaling \$2,960.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 13-1823 for a waiver of the \$200 late fee assessed against Zoe Olivia Fleming, a candidate for Judge, Juvenile Court, Section C, Jefferson Parish in the October 19, 2013 election, for filing her EDE-G campaign finance disclosure report 2 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$200 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-018 for a waiver of the \$1,000 late fee assessed against Androniki "Niki Bird" Papazoglakis, a candidate for Governor in the October 22, 2011 election, for filing her 2011 Supplemental campaign finance disclosure report 546 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,000 late fee but suspended the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act.

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, excluding Docket No. 13-1781, taking the following action:

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

Docket No. 14-003 from Don Hidalgo of a \$1,500 late fee; and,
Docket No. 13-1745 from Dino Paternostro of a \$500 late fee.

The Board unanimously waived the late fees against the following:

Docket No. 13-1783 from Pearce Cinman of a \$200 late fee; and,
Docket No. 13-1774 from James Siegal of a \$250 late fee.

The Board considered a request in Docket No. 13-1781 for a waiver of the \$50 late fee assessed against Jennifer Pappan for her failure to timely file a lobbyist expenditure report for October 2013. On motion made, seconded and unanimously passed, the Board continued the matter to the March meeting.

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 Nos. 13-1720, 13-1721, 13-1722, 13-1725, 13-1729, 13-1796, 14-019, 14-021, 14-022, 14-029, 14-034, 14-035 and 14-036 taking the following action:

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

Docket No. 13-1717 from Lee Thomas of a \$1,500 late fee;
Docket No. 13-1732 from Glen McKinley of a \$250 late fee;
Docket No. 13-1766 from Lenis Trahan of a \$2,500 late fee;
Docket No. 13-1800 from Irwin Hopkins of a \$1,500 late fee; and,
Docket No. 14-027 from Irene Wiley of a \$1,500 late fee.

The Board unanimously waived the late fees against the following:

Docket No. 13-1717 from Lee Thomas of a \$200 late fee;
Docket No. 14-025 from Jimmy Gaylor of a \$50 late fee;
Docket No. 14-030 from Lena Stewart of a \$1,500 late fee; and,
Docket No. 14-037 from Leroy Kelly of a \$600 late fee.

The Board considered a request in Docket No. 13-1718 for a waiver of the \$2,500 late fee assessed against Marcus Michael Lambert, a former member of the St. Charles Parish Council, for filing his 2012 Tier 2 Annual personal financial disclosure statement 28 days late. On motion made,

seconded and unanimously passed, the Board declined to waive the \$2,500 late fee but suspended \$2,250 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 13-1726 for a waiver of the \$1,150 late fee assessed against Adam Smith, a member of the Louisiana Virtual Charter Academy, East Baton Rouge Parish, for filing his 2012 Tier 3 Annual personal financial disclosure statement 23 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,150 late fee but suspended \$650 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 13-1727 for a waiver of the \$600 late fee assessed against Albert Ely Edwards, a member of the Fannie C. Williams Charter School, Orleans Parish, for filing his 2012 Tier 3 Annual personal financial disclosure statement 12 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$600 late fee but suspended \$300 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 13-1728 for a waiver of the \$1,500 late fee assessed against Billy Joe Ellingburg, a member of the Morehouse Parish School Board, for filing his 2011 Tier 3 Annual personal financial disclosure statement 126 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 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. 13-1730 for a waiver of the \$200 late fee assessed against Gary James Plauche, a member of the Avoyelles Parish Police Jury, for filing his 2012 Tier 3 Annual personal financial disclosure statement 4 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$200 late fee but suspended \$100 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 13-1813 for a waiver of the \$900 late fee assessed against Henry L. Billiot, a member of the St. Tammany Parish Council, District 10, for filing his 2012 Tier 2 Annual personal financial disclosure statement 9 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$900 late fee but suspended \$450 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 14-020 for a waiver of the \$300 late fee assessed against Robert Julien Burvant, a member of the Sojourner Truth Charter School, Orleans Parish, for filing his 2012 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 \$150 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 14-023 for a waiver of the \$600 late fee assessed against Gilbert Ball, a member of the Angie Board of Aldermen, Washington Parish, for filing his 2012 Tier 3 Annual personal financial disclosure statement 12 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$600 late fee but suspended \$300 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 14-024 for a waiver of the \$1,500 late fee assessed against John Paul Canik, a member of the Killian Board of Aldermen, Livingston Parish, for filing his 2011 Tier 3 Annual personal financial disclosure statement 141 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 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. 14-028 for a waiver of the \$150 late fee

assessed against Johnnie Taylor, Mayor of the Town of Powhatan, Natchitoches Parish, for filing her 2012 Tier 3 Annual personal financial disclosure statement 3 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$150 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. 14-031 for a waiver of the \$1,500 late fee assessed against Petrouchka Moise, a member of the Mentorship Academy Charter School, for filing her 2012 Tier 3 Annual personal financial disclosure statement 36 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 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. 13-1720 for a waiver of the \$1,400 late fee assessed against Adrian Thompson, a former member of the Ascension Parish Council, for filing his 2012 Tier 2 Annual personal financial disclosure statement 14 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,400 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. 13-1721 for a waiver of the \$1,500 late fee assessed against Columbus James Boston, a member of the Lucky Board of Aldermen, Bienville Parish, for filing his 2009 Tier 3 Annual personal financial disclosure statement 338 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee but suspended \$1,250 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 13-1722 for a waiver of the \$1,700 late fee assessed against Dudley A. Gautreaux, Senator, District 21, for filing his 2012 Tier 2 Annual personal financial disclosure statement 17 days late. On motion made, seconded and unanimously

passed, the Board declined to waive the \$1,700 late fee.

The Board considered a request in Docket No. 13-1725 for a waiver of the \$800 late fee assessed against Earlin Fruge, Evangeline Parish Constable, for filing his amended 2012 Tier 2 Annual personal financial disclosure statement 8 days late. On motion made, seconded and unanimously passed, the Board re-suspended the 2008 reassessment of \$500 conditioned upon future compliance with the Code of Governmental Ethics and waived the \$800 late fee based on his medical issues.

The Board considered a request in Docket No. 13-1729 for a waiver of the \$50 late fee assessed against Anna Maria Camus, a member of the Belle Chasse Academy Charter School, Orleans Parish, for filing her 2012 Tier 3 Annual personal financial disclosure statement 1 day late. On motion made, seconded and unanimously passed, the Board waived the \$50 late fee.

The Board considered a request in Docket No. 13-1796 for a waiver of the \$250 late fee assessed against Eugene Venzant, a member of the Bryceland Board of Aldermen, Bienville Parish, for filing his 2012 Tier 3 Annual personal financial disclosure statement 5 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$250 late fee but suspended \$150 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 14-019 for a waiver of the \$1,500 late fee assessed against Charles Thomas McCabe, Jr., a member of the Board of Dentistry, for filing his 2010 Tier 2.1 Annual personal financial disclosure statement 359 days late. 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.

The Board considered a request in Docket No. 14-021 for a waiver of the \$1,500 late fee

assessed against Willie George Lee, a member of the St. Helena Parish School Board, for filing his 2011 Tier 3 Annual personal financial disclosure statement 133 days late and a \$150 late fee assessed for filing his 2012 Tier 3 Annual personal financial disclosure statement 3 days late. On motion made, seconded and passed by a vote of 5 yeas by Board Members Bruneau, Larzelere, Leggio, Lemke and McAnelly and 2 nays by Board Members Blewer and Monroe, the Board declined to waive the \$1,500 late fee in connection with the 2011 Tier 3 Annual personal financial disclosure statement but suspended \$1,350 conditioned upon future compliance with the Code of Governmental Ethics and waived the \$150 late fee in connection with 2012 Tier 3 Annual personal financial disclosure statement.

The Board considered a request in Docket No. 14-022 for a waiver of the \$2,500 late fee assessed against Lori Suzanne Lamm-Williams, a member of the Denham Springs City Council, Livingston Parish, for filing her 2010 amended Tier 2 Annual personal financial disclosure statement 159 days late. On motion made, seconded and unanimously passed, the Board waived the \$2,500 late fee.

The Board considered a request in Docket No. 14-029 for a waiver of the \$350 late fee assessed against Andrea Lemoine, a member of the Plaquemine Board of Aldermen, Avoyelles Parish, for filing her 2012 Tier 3 Annual personal financial disclosure statement 7 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$350 late fee but suspended \$175 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 14-034 for a waiver of the \$2,500 late fee and the \$1,500 late fee assessed against Darryl L. Robertson, a former member of the East Baton Rouge Parish School Board and a former candidate for Baker City Council, for filing his amended 2010 Tier

2 Annual personal financial disclosure statement 500 days late and for filing his amended 2010 Tier 3 Candidate personal financial disclosure statement 487 days late. On motion made, seconded and unanimously passed, the Board waived the \$2,500 late fee in connection with the amended 2010 Tier 2 Annual personal financial disclosure statement and declined to waive the \$1,500 late fee in connection with the amended 2010 Tier 3 Candidate personal financial disclosure statement but suspended the entire late fee conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 14-035 for a waiver of the \$1,500 late fee assessed against Edward Franklin McKaskle, a member of the Forest Board of Aldermen, West Carroll Parish, for filing his 2009 Tier 3 Annual personal financial disclosure statement 452 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee but suspended \$1,250 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 14-036 for a waiver of the \$400 late fee assessed against DeSoto Parish Sheriff Rodney G. Arbuckle, a member of the Criminalistics Laboratory Commission and a member of the Highway Safety Commissioner, for filing his amended 2012 Tier 2 Annual personal financial disclosure statement 4 days late. On motion made, seconded and unanimously passed, the Board waived the \$400 late fee.

The Board considered a request in Docket No. 13-1824 for a waiver of the \$2,500 late fee, the \$2,500 late fee, the \$800 late fee and the \$1,500 late fee assessed against Glynn Ludley for filing his amended 2009 Tier 2 Candidate personal financial disclosure statement 97 days late; for filing his 2010 Tier 2 Annual personal financial disclosure statement 511 days late; for filing his 2011 Tier

2 Annual personal financial disclosure statement 8 days late; and, for filing his 2012-2013 School Board Disclosure Statement 323 days late. On motion made, seconded and unanimously passed, the Board waived the \$2,500 late fee in connection with the 2009 personal financial disclosure amendment; declined to waive the \$2,500 late fee but suspended \$2,000 conditioned upon future compliance with the Code of Governmental Ethics in connection with the 2010 personal financial disclosure statement; declined to waive the \$800 late fee in connection with the 2011 personal financial disclosure statement; and waived \$1,250 of the \$1,500 late fee in connection with the 2012 school board disclosure statement.

The Board considered an untimely request in Docket No. 13-975 for reconsideration of a waiver of the \$1,500 late fee assessed against Raymond Calep, a member of the Lucky Board of Aldermen, Bienville Parish, for filing his 2010 Tier 3 Annual personal financial disclosure statement 342 days late. On motion made, seconded and unanimously passed, the Board affirmed its prior decision to decline to waive the \$1,500 late fee but suspended the entire late fee conditioned upon future compliance with the Code of Governmental Ethics in connection with the amended 2009 Tier 3 Annual personal financial disclosure statement and declined to waive the \$1,500 late fee but suspended \$1,000 conditioned upon future compliance with the Code of Governmental Ethics in connection with the 2010 Tier 3 Annual personal financial disclosure statement and instructed the staff to offer Mr. Calep a payment plan.

The Board considered an untimely request in Docket No. 14-1822 for a waiver of the \$1,500 late fee assessed against Paulette Bailey Wilson for failing to timely file a Lobbyist Supplemental report. 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. 14-032 for a waiver of the \$300 late fee assessed against Perry Fleming, a member of the Mangham Board of Aldermen, Richland Parish, for filing his 2012 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 \$200 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered an untimely request in Docket No. 14-033 for a waiver of the \$2,500 late fee and the \$2,500 late fee assessed against Thomas Cade Benoit, a member of the Acadia Parish Police Jury, for filing his amended 2010 Tier 2 Annual personal financial disclosure statement and 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 to the April meeting.

The Board recessed at 12:10 p.m. and resumed back into general business session at 12:14 p.m.

On motion made, seconded and unanimously passed, the Board agreed to add to the agenda, consideration of the lawsuit filed by The Fund for Louisiana's Future against the Board and the individual members of the Board in their official capacity as a member of the Louisiana Board of Ethics. Chairman Monroe provided an overview of the lawsuit. On motion made, seconded and unanimously passed, the Board moved to tender the defense and indemnification of the matter to the Attorney General and to the Governor requesting that the Governor's Office turn this matter over to the Office of Risk Management to defend the Board and its members in their official capacity. The Board instructed the staff to forward letters to the Attorney General and the Governor stating that the Board expects them to step in and defend the Board and the members, in their official

capacity as members of the Board, and that the Board doesn't believe it's their job to defend this matter or the constitutionality; but instead, it is the Attorney General's job and the Board's job is to only enforce the provisions. The Board further discussed the possibility that the Attorney General and the Office of Risk Management may not decide to step in and defend the Board and if an extension of time is not secured, then issues may arise, such as a hearing on the preliminary injunction, prior to the next Board meeting. If they refuse to defend the Board, the Board will need to decide (1) whether to hire outside counsel to defend this matter; (2) whether the Board will defend this matter; or (3) whether the Board decides to not do anything and let the lawsuit proceed. Chairman Monroe asked for the approval of the Board, that if it comes to that situation where such a decision has to be made prior to the next Board meeting, to allow him to appoint a committee to make decisions in reference to procedural aspects. The Board agreed to the Chairman's suggestion to appoint the committee. Ms. Allen cautioned the Board that if a committee is formed, the committee will have to abide by the requirements of the Open Meetings law by noticing the meeting 24 hours in advance and will have to meet in person. The Board can also ask the Chairman to make those decisions and instruct Ms. Allen to proceed with his direction. The Board agreed to allow Chairman Monroe to make those decisions after consultation with other members of the Board and without violating the Open Meetings Law.

The Board unanimously adjourned at 12:23 p.m.

Secretary

APPROVED:

Chairman

