

LOUISIANA BOARD OF ETHICS
MINUTES
July 19, 2013

The Board of Ethics met on July 19, 2013 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, Leggio, McAnelly, Monroe and Shelton present. Absent were Board Members Lemke, Schneider and Stafford. Also present were the Ethics Administrator, Kathleen Allen; the Executive Secretary, Deborah Grier; and Counsel Tracy Barker, Aneatra Boykin, Mike Dupree, Brent Durham, Jennifer Land and Suzanne Mooney.

Chairman Monroe announced the resignation of Board Member Scott Schneider. The Board unanimously resolved to add the election of the Board's Vice Chairman to the general business agenda. On motion made, seconded and unanimously passed, the Board elected Ms. Blewer as Vice Chairman.

Mr. Taylor Bassett, attorney for John Perry Gallow, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 12-2047 for a waiver of the \$1,000 and \$1,000 late fees assessed against Mr. Gallow, a candidate for the City of Opelousas Police Chief in the October 2, 2010 election, for filing his EDE-P and 10-G campaign finance disclosure reports 55 and 147 days late. After hearing from Mr. Bassett, on motion made, seconded and unanimously passed, the Board declined to waive the late fees totaling \$2,000.

Mr. Thomas L. Arnold, Sr., a candidate for Orleans Parish Council, District C in the February 6, 2010 election, and Mr. Ken Pickering, his attorney, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket

No. 12-2202 for reconsideration of a waiver of the \$1,080, \$2,000, and \$600 campaign finance late fees assessed against Mr. Arnold for filing his 30-P, 10-P, and Supplemental campaign finance disclosure reports 18, 40, and 527 days late. After hearing from Mr. Arnold and Mr. Pickering, on motion made, seconded and unanimously passed, the Board rescinded the late fees totaling \$3,680 based on Mr. Arnold's serious medical condition during the campaign for the February 2010 election. Board Member Bruneau recused himself.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 13-312 for a waiver of the \$400 and \$400 late fees assessed against Michael A. Ragusa, a candidate for Mayor of Independence in the March 24, 2012 election, for filing his EDE-P and EDE-G campaign finance disclosure reports 294 and 279 days late. On motion made, seconded and unanimously passed, the Board continued the matter to the August meeting.

Mr. Ray Trisler, Richland Parish Constable, appeared before the Board in connection with a request in Docket No. 13-577 for a waiver of the \$1,500 late fee assessed against him for filing his 2010 Tier 3 annual personal financial disclosure statement 345 days late. After hearing from Mr. Trisler and his wife, Brenda Trisler, on motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee but suspend \$1,300 conditioned upon future compliance with the Code of Governmental Ethics.

Board Member Lemke arrived at the meeting at 9:26 a.m.

Mr. Parker Templeton, CEO of the St. Mary Parish Hospital Service District No. 1, appeared before the Board in Docket No. 13-715 in connection with a request for an advisory opinion regarding whether a member of the St. Mary Parish Hospital Service District No. 1 (the "District")

may continue to provide compensated services to Whitney Bank if the District contracts with Whitney Bank for investment services. After hearing from Mr. Templeton, on motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by a member of the St. Mary Parish Hospital Service District No. 1 continuing his employment with Whitney Bank if the District contracts with Whitney Bank for investment services pursuant to the exception to the Code of Governmental Ethics provided in R.S. 39:1233.1. The Board further advised that the member of the St. Mary Parish Hospital Service District No. 1 (1) shall recuse himself voting in favor of the bank or participating in any way in the consideration of a matter affecting actual or potential business with the bank, (2) shall disclose the reason for the recusal and file those reasons, in writing, in the minutes or record of the Hospital Service District, and (3) shall file a disclosure statement with the Board of Ethics within 15 days of such recusal.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 13-853 for a waiver of the \$840 late fee assessed against Edwin Shorty, a candidate for Orleans Parish City Court Constable in the November 6, 2012 election, for filing his 10-G report 14 days late. The Board unanimously agreed to temporarily defer the matter to later in the meeting.

Mr. Cade R. Cole appeared before the Board in Docket No. 13-095 in connection with a request for an advisory opinion regarding his recent appointment to the Louisiana Board of Tax Appeals (BOTA) and his participation in a matter involving his spouse's employer, Sasol North America, Inc. After hearing from Mr. Cole, on motion made, seconded and unanimously passed, the Board concluded that, based on the facts and circumstances of this specific case, Mr. Cole would

not be in violation of Section 1111C(2)(d) of the Code of Governmental Ethics if he were to continue to serve on the Board of Tax Appeals while his wife's employer appears before his agency, since his recusal from the underlying case has been ordered pursuant to the provisions of the Louisiana Code of Civil Procedure and the Rules for the Board of Tax Appeals. Board Member Backhaus recused himself.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 13-700 for a waiver of the \$600 late fee that was assessed against Christopher Leopold, a candidate for State Representative in the February 27, 1999 election, for filing his Supplemental report 12 days late. The Board unanimously agreed to temporarily defer the matter to later in the meeting.

Mr. Wyatt Williams, a Slidell City Marshal, appeared before the Board in connection with a request in Docket No. 13-825 for a waiver of the \$2,500 late fee assessed against him for filing his 2009 Tier 2 annual personal financial disclosure statement 308 days late. After hearing from Mr. Williams and his wife, Sandra Williams, on motion made, seconded and unanimously passed, the Board waived the \$2,500 late fee, based on the waiver guidelines.

Mr. Mario Brown, Town of White Castle Police Chief, and his attorney, Mr. John McLindon, appeared before the Board in connection with a request in Docket No. 12-1168 for a waiver of the \$1,500 late fee assessed against Mr. Brown for filing his 2009 Tier 3 annual personal financial disclosure statement 362 days late. After hearing from Mr. Brown and Mr. McLindon, on motion made, seconded and passed by a vote of 6 yeas by Board Members Backhaus, Bruneau, Ingrassia, Leggio, McAnelly and Shelton and 3 nays by Board Members Blewer, Lemke and Monroe, the Board declined to waive the \$1,500 late fee but suspended \$1,000 conditioned upon future

compliance with the Code of Governmental Ethics.

Mr. Joseph Sylvester, a candidate for the St. Martin Parish Council in the October 22, 2011 election, appeared before the Board in connection with a request in Docket No. 13-824 for a waiver of the \$2,500 late fee assessed against him for filing his 2010 Tier 2 candidate personal financial disclosure statement 324 days late. After hearing from Mr. Sylvester, on motion made, seconded and unanimously passed, the Board waived the \$2,500 late fee, based on the waiver guidelines.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 13-853 for a waiver of the \$840 late fee assessed against Edwin Shorty, a candidate for Orleans Parish City Court Constable in the November 6, 2012 election, for filing his 10-G report 14 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$840 late fee but suspended \$640 conditioned upon future compliance with the Campaign Finance Disclosure Act.

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-G27 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-G27, excluding item G12, taking the following action:

Adopted an advisory opinion in Docket No. 13-508 concluding that, based on the information provided, no violation of the Code of Governmental Ethics is presented by the daughter of Dirk Guidry, a member of the Terrebonne Parish Council, applying to participate in the Terrebonne Community Development Block Grant (CDBG) Buyout Program, a part of the federal hazard

mitigation grant program, since the involvement of the Parish in the process is purely ministerial.

Adopted an advisory opinion in Docket No. 13-644 concluding that no violation of the Code of Governmental Ethics is presented by William Hulin being promoted to the Iberia Parish Facility Maintenance Supervisor while his wife serves as custodian of New Iberia's Veterans Memorial Building, since Section 1119C2 of the Code of Governmental Ethics allows the continued employment and normal promotional advancement of an employee whose immediate family member becomes the agency head, provided the employee has been employed at least one year prior to the family member becoming the agency head, and Ms. Hulin has been employed with the Parish for three years. The Board further advised that Section 11121B(1) of the Code of Governmental Ethics prohibits Mr. Hulin from taking part in any personnel matters including but not limited to promotions, merit increases, or evaluations involving his spouse including recommendations for such matters in which she has an economic interest. The Board approved the disqualification plan submitted which ensures that Mr. Hulin is properly disqualified from matters in which his wife has a substantial economic interest.

Adopted an advisory opinion in Docket No. 13-682 concluding that no violation of the Code of Governmental Ethics is presented by Mehdi Nilforoushan working with consultants on state projects on a contractual basis following his retirement from the Department of Transportation and Development (DOTD), since he will not be assisting in transactions in which he participated during his employment with DOTD and will not be performing the same service that he performed while employed with DOTD.

Adopted an advisory opinion in Docket No. 13-683 concluding that no violation of the Code of Governmental Ethics is presented by Kenneth Squires, a former member of the Iberia Parish

Airport Authority, providing consulting services to the Iberia Parish Council or the Iberia Industrial Foundation; however, Section 1121 of the Code of Governmental Ethics prohibits Mr. Squires, for a period of two years, from acting as an aviation recruiter and assisting businesses with transactions involving the Iberia Parish Airport Authority. The Board further concluded that Section 1121 of the Code of Governmental Ethics prohibits Mr. Squires, for a period of two years, from providing consulting services to the Acadiana Regional Airport and the LeMaire Memorial Airport, since those airports are under the jurisdiction of Mr. Squires' former agency, the Iberia Parish Airport Authority.

Adopted an advisory opinion in Docket No. 13-687 concluding that, based on the information provided, no violation of the Code of Governmental Ethics is presented by Matt Johns, Transportation Planner (Section 85) with the Department of Transportation and Development (DOTD), accepting a part-time position with his former employer, the Rapides Area Planning Commission (RAPC). The Board further advised that Section 1121 of the Code of Governmental Ethics would prohibit Mr. Johns, for a period of two years, from performing any service he provided to the RAPC while employed with the agency, however it would not prohibit Mr. Johns from being hired by the RAPC to provide services in which he did not participate during his tenure as an employee of the RAPC.

Adopted an advisory opinion in Docket No. 13-705 concluding that no violation of the Code of Governmental Ethics is presented by Grambling State University (GSU) receiving an erroneously awarded grant, and assisting in administering the grant as a pass through on behalf of the intended grant recipient, the Greater North Louisiana Community Development Corporation (GNLCDC), whose Executive Director, Janice Simmons, is the wife of Dr. Herbert Simmons, Jr., the Co-founder and Board Chairman of the GNLCDC and a full time Assistant Professor at GSU, since the

disbursement and implementation of funds will not be handled by Dr. Simmons' department, and in no way will Dr. Simmons be participating in the disbursement or the administration of funds to GNLCDC.

Adopted an advisory opinion in Docket No. 13-706 concluding that no violation of the Code of Governmental Ethics is presented by Jackie Heber, an employee with the Department of Environmental Quality (DEQ), accepting employment with Motiva Enterprises (Motiva) following her resignation with the DEQ, since the matters Ms. Heber will be responsible for with Motiva are not matters in which she participated as a DEQ employee.

Adopted an advisory opinion in Docket No. 13-713 concluding that Section 1113 of the Code of Governmental Ethics prohibits a company, Monceaux Fire & Safety, LLC, owned by Chad Monceaux, a paid firefighter for the City of Crowley Fire Department and a volunteer board member of the Crowley Service Area Fire Protection District No. 11, from conducting business with the City of Crowley Fire Department and the Fire District, since both are considered to be Mr. Monceaux's agencies.

Allowed the withdrawal of a request for an advisory opinion in Docket No. 13-717 regarding Neil Lartigue, Chief of the Ville Platte Police Department, and his business providing lawn services for the Ville Platte Housing Authority, since Mr. Lartigue withdrew his bid for the contract with the Housing Authority.

Adopted an advisory opinion in Docket No. 13-721 concluding that Michelle Haj-Broussard, a professor at McNeese State University, is not required to file a disclosure form with the Board of Ethics in connection with her acceptance of lodging and meals from La Main a la Pate Foundation while attending a seminar in France, since Section 1123 (41) only applies to seminars in the

continental U.S. Additionally, the Foundation does not have contracts and is not seeking contracts with McNeese State University nor is the Foundation under the supervision of the University.

Adopted an advisory opinion in Docket No. 13-724 concluding that the members of the Lake Fosse Point, Lake Dautrerie, and Grand Avoille Cove Advisory Board are not required to file annual personal financial disclosure statements pursuant to R.S. 42:1124.2.1, since the advisory board does not have any funds at this time and; therefore, does not have the authority to expend, disburse, or invest \$10,000 or more in funds in a fiscal year.

Adopted an advisory opinion in Docket No. 13-725 concluding that the members of the Louisiana Artificial Reef Development Council are not required to file an annual personal financial disclosure statement pursuant to R.S. 42:1124.2.1, since the Council does not have any funds at their discretion and has no authority to expend, disburse, or invest any funds.

Declined to render an advisory opinion in Docket No. 13-846 regarding the proper use of public funds by the Amite River Basin Drainage and Water Conservation District, since no ethics issues were presented. The Board further instructed the staff to refer the requestor to the Attorney General's Office regarding the proper use of public funds.

Adopted an advisory opinion in Docket No. 13-847 concluding that no violation of the Code of Governmental Ethics is presented by Margaret Doucet, a Code Enforcement Officer/Building Official employed by the City of Opelousas, accepting part-time employment with Town of Washington as a consultant handling blighted property/abandoned buildings, since the services Ms. Doucet will be providing to Washington are public services. The Board further recommended that Ms. Doucet contact the Attorney General's Office regarding dual office holding laws.

Adopted an advisory opinion in Docket No. 13-854 concluding that no violation of the Code

of Governmental Ethics is presented by Carolyn Hill, a member of the State Board of Elementary and Secondary Education (BESE), being employed by Nonpublic Educational Services, Inc. (NESI) while serving as a BESE member, since NESI does not appear to have an economic interest that can be affected by the performance or nonperformance of Ms. Hill's duties as a BESE member.

Adopted an advisory opinion in Docket No. 13-856 concluding that the members of the New Orleans Tourism Marketing Corporation Board of Directors are not required to file annual personal financial disclosure statements pursuant to R.S. 42:1124.2.1, since the statute that authorizes the process by which NOTMC was created specifically states that it is a private, nonprofit corporation and the provisions of the Code of Governmental Ethics are not applicable to the members of NOTMC Board of Directors.

Adopted an advisory opinion in Docket No. 13-859 concluding that Section 1111C(2)(d) of the Code of Governmental Ethics prohibits the St. Mary Parish Water & Sewer Commission 2 from continuing to purchase electrical parts from Lafayette Electric following the appointment of a new commissioner who is employed at Lafayette Electric.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, adopted an advisory opinion in Docket No. 13-860 concluding that Chief Mac Dickinson of the Harahan Police Department may use his campaign funds to purchase a vehicle to be used exclusively for campaign purposes or to use in connection with the fulfillment of his duties and responsibilities as the Chief of the Harahan Police Department. The Board further instructed the staff to refer Chief Dickinson to the Attorney General's Office regarding the question as to whether he can accept a monthly car allowance from the City to cover the use of the personally owned vehicle, since it concerns the appropriate use of public funds.

Adopted an advisory opinion in Docket No. 13-861 concluding that Section 1113A(1)(a) of the Code of Governmental Ethics prohibits the St. Charles Parish President, the St. Charles Parish Council Members, the St. Charles Parish Chief Executive Officer over Parks and Recreation and the employees of the St. Charles Parish Parks and Recreation Department from contracting, in their individual capacity, to rent the Edward A. Dufresne Community Center which is owned and managed by St. Charles Parish.

Adopted an advisory opinion in Docket No. 13-902 in connection with an offer extended to Paul Aucoin to serve as the Executive Director for the Port of South Louisiana following his recommendation to the port to look into filing a B.P. claim concluding that (1) no violation of the Code of Governmental Ethics is presented by Mr. Aucoin receiving a referral fee from his son-in-law's firm while he serves as the Executive Director for the Port of South Louisiana, since Mr. Aucoin is not entering into a transaction with his agency, his son-in-law will not be working on the claim in a legal capacity involving his agency and he does not have an ownership interest in the law firm that is representing the port in the claim; (2) Mr. Aucoin, in his role as Executive Director, must disqualify himself from participating in any matter concerning the B.P. claim and the Port of South Louisiana in any way, since he and a member(s) of his immediate family would have a substantial economic interest in such matters; and, (3) Section 1114 of the Code of Governmental Ethics will require Mr. Aucoin and member(s) of his immediate family to disclose any income received from the port's B.P. claim while he serves as Executive Director of the Port of South Louisiana.

Adopted an advisory opinion in Docket No. 13-692 concluding that no violation of the Code of Governmental Ethics is presented by James Donelon, Commissioner of Insurance and President of the National Association of Insurance Commissioners (NAIC), being reimbursed by the NAIC

for travel expenses associated with the services that he provides as President of the NAIC, since the NAIC does not have a business, contractual, or financial relationship with the Louisiana Department of Insurance nor is the organization regulated by the Department. The Board further advised that Mr. Donelon would not be required to file an affidavit in accordance with Section 1123 (41) of the Code of Governmental Ethics. Board Members Backhaus and McAnelly recused themselves.

The Board considered charges in Docket No. 11-1538 filed against Ronald Goff for his failure to file his 2010 Tier 2 annual personal financial disclosure statement. On motion made, seconded and unanimously passed, the Board dismissed the charges against Mr. Goff, since the statement had been filed.

In connection with an Answer in Docket No. 13-888 submitted by Caddo Parish Juvenile Court Judge Paul Young, a member of the Louisiana Law Enforcement Commission, in response to a notice of delinquency requesting he file his 2011 Tier 2.1 annual personal financial disclosure statement, instructed the staff to advise Judge Young that he is required to file his 2011, 2012 and 2013 Tier 2.1 annual personal financial disclosure statements in relation to his service on the Law Enforcement Commission.

In connection with an Answer in Docket No. 13-889 submitted by Irma M. Wright, a member of the Greater Alexandria Economic Development Authority, in response to a notice of delinquency requesting she file her 2011 Tier 2.1 annual personal financial disclosure statement, instructed the staff to advise Ms. Wright that she is required to file her 2011 and 2012 Tier 2.1 annual personal financial disclosure statements, since she held office during 2011 and 2012 and was required to file her 2011 and 2012 Tier 2.1 annual personal financial disclosure statements by May 15, 2012 and May 15, 2013 respectively.

In connection with an Answer in Docket No. 13-890 submitted by Janet M. Wood, a member of the Lafayette Downtown Development Authority, in response to a notice of delinquency requesting she file her 2011 Tier 2.1 annual personal financial disclosure statement, instructed the staff to advise Ms. Wood that she is required to file her 2011 Tier 2.1 annual personal financial disclosure report, since she was a board member during 2011 and was required to file her 2011 Tier 2.1 annual personal financial disclosure statement by May 15, 2012.

In connection with an Answer in Docket No. 13-891 submitted by Stanley Smith, a member of the Red River Soil and Water Commission, in response to a notice of delinquency requesting he file his 2011 Tier 2.1 annual personal financial disclosure statement, instructed the staff to advise Mr. Smith that he is required to file his 2011 Tier 2.1 annual personal financial disclosure statement, since he held office during 2011 and was required to file his 2011 Tier 2.1 annual personal financial disclosure statement by May 15, 2012.

In connection with an Answer in Docket No. 13-892 submitted by Wilson “W.E.” O’Bannon, a member of the Town of Provencal Board of Aldermen, in response to a notice of delinquency requesting he file his 2011 Tier 3 annual personal financial disclosure statement, instructed the staff to advise Mr. O’Bannon that he is required to file his 2011 and 2012 Tier 3 annual personal financial disclosure statements, since he held office in 2011 and 2012 and was required to file his 2011 and 2012 Tier 3 annual personal financial disclosure statements by May 15, 2012 and May 15, 2013 respectively.

In connection with an Answer in Docket No. 13-893 submitted by Billy Merton Owens, a member of the Village of Kilbourne Board of Aldermen, in response to a notice of delinquency requesting he file his 2011 Tier 3 annual personal financial disclosure statement, instructed the staff

to advise Mr. Owens that he is required to file his 2011, 2012 and 2013 Tier 3 annual personal financial disclosure statements, since held office until 2013 and was required to file his 2011, 2012, and 2013 Tier 3 annual personal financial disclosure statements by May 15, 2012, May 15, 2013 and May 15, 2014 respectively.

In connection with an Answer in Docket No. 13-895 submitted by Frank J. Gaffney, a member of the Blind Vendor Trust Fund Advisory Board, in response to a notice of delinquency requesting he file his 2011 Tier 2.1 annual personal financial disclosure statement, instructed the staff to advise Mr. Gaffney that he is required to file his 2011, 2012 and 2013 Tier 2.1 annual personal financial disclosure statements, since he held office until 2013 and was required to file his 2011, 2012, and 2013 Tier 3 annual personal financial disclosure statements by May 15, 2012, May 15, 2013 and May 15, 2014 respectively.

In connection with an Answer in Docket No. 13-895 submitted by Betty Nunez Fuller, a member of the Vermilion Parish Tourism Commission, in response to a notice of delinquency requesting she file her 2011 Tier 2.1 annual personal financial disclosure statement, instructed the staff to advise Ms. Fuller that she is required to file her 2011 Tier 2.1 annual personal financial disclosure statement, since she held office during 2011 and was required to file her 2011 Tier 2.1 annual personal financial disclosure statement by May 15, 2012.

In connection with an Answer in Docket No. 13-898 submitted by Don V. Bankston, a member of the South Tangipahoa Parish Port Commission, in response to a notice of delinquency requesting he file his 2011 Tier 2.1 annual personal financial disclosure statement, instructed the staff to advise Mr. Bankston that he is required to file his 2011 and 2012 Tier 2.1 annual personal financial disclosure statements, since he held office during 2011 and 2012 and was required to file

his 2011 and 2012 Tier 2.1 annual personal financial disclosure statements by May 15, 2012 and May 15, 2013 respectively.

In connection with an Answer in Docket No. 13-899 submitted by Gayle A. Cowan, a member of the Town of Ridgecrest Board of Aldermen, in response to a notice of delinquency requesting she file her 2011 Tier 3 annual personal financial disclosure statement, instructed the staff to advise Ms. Cowan that she is required to file her 2011 Tier 3 annual personal financial disclosure statement, since she held office during 2011 and was required to file her 2011 Tier 2.1 annual personal financial disclosure statement by May 15, 2012.

In connection with an Answer in Docket No. 13-900 submitted by Robert E. Dawson, a member of the State Board of Medical Examiners, in response to a notice of delinquency requesting he file his 2011 Tier 2.1 annual personal financial disclosure statement, instructed the staff to advise Mr. Dawson that he is required to file his 2011 Tier 2.1 annual personal financial disclosure statement, since he held office during 2011 and was required to file his 2011 Tier 2.1 annual personal financial disclosure statement by May 15, 2012.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the June 20-21, 2013 meetings.

The Board recessed at 10:28 a.m. and resumed back into general business session at 10:42 a.m.

The Board considered a request for an advisory opinion in Docket No. 13-690 regarding whether Margaret Duhon may provide court reporting services at the 15th Judicial District Court after her retirement. On motion made, seconded and unanimously passed, the Board deferred the

matter to the August meeting and instructed the staff to obtain additional information.

The Board considered a request for an advisory opinion in Docket No. 13-708 regarding whether the members of the Algiers Development District/New Orleans Federal Alliance (ADD/NOFA) Joint Development Committee (JDC) for Federal City are required to file annual personal financial disclosure statements pursuant to Section 1124.2.1 of the Code of Governmental Ethics. On motion made, seconded and unanimously passed, the Board concluded that the members of the ADD/NOFA Joint Development Committee (JDC) for Federal City are required to file annual personal financial disclosure statements, since the committee was created by a political subdivision, ADD, and it has the authority to expend, disburse, or invest \$10,000 or more in funds in a fiscal year.

The Board considered a request for an advisory opinion in Docket No. 13-734 regarding the propriety of Ferrara Fire Apparatus, the employer of Aaron Griffin, an assistant fire chief of the Lafourche Parish Fire District No. 1, being awarded a contract with the Fire District. On motion made, seconded and passed by a vote of 7 yeas by Board Members Blewer, Bruneau, Ingrassia, Leggio, Lemke, McAnelly and Monroe and 2 nays by Board Members Backhaus and Shelton, the Board concluded that no violation of the Code of Governmental Ethics is presented by Aaron Griffin being employed by Ferrara Fire Apparatus while Ferrara seeks a business relationship with his agency, the Lafourche Parish Fire District No. 1, since Mr. Griffin is a volunteer fireman and meets each of the criteria provided for in Board Opinion 82-02D which provides a limited exception to the prohibition contained in Section 1111C(2)(d) of the Code of Governmental Ethics and provided that Mr. Griffin resigns from the Apparatus Committee and no longer participates in matters involving his fire district and his employer, Ferrara Fire Apparatus.

The Board considered an untimely request in Docket No. 13-812 for a waiver of the \$1,500

late fee assessed against James Roland, a member of the West Feliciana Parish Port Commission, for filing his 2010 Tier 2.1 annual personal financial disclosure statement 356 days late and a \$550 late fee assessed for filing his 2011 Tier 2.1 annual personal financial disclosure statement 11 days late. On motion made, seconded and unanimously passed, the Board waived the \$1,500 late fee associated with the 2010 Tier 2.1 annual personal financial disclosure statement, based on the waiver guidelines, and declined to waive the \$550 late fee associated with the 2011 Tier 2.1 annual 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 for an advisory opinion in Docket No. 13-842 regarding whether employees of the Orleans Parish School Board (OPSB) may serve as board members for charter schools authorized by the Orleans Parish School Board. On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by employees of the OPSB serving as board members for charter schools authorized by the OPSB as long as the OPSB employee is not the person representing the charter school before the OPSB.

The Board considered Answers in Docket No. 13-681 submitted by the following individuals in response to a notice of delinquency received requesting a personal financial disclosure statement be filed for the calendar year 2011: Norwood James Menard, Scott City Council Member at Large Tier 2; Robert Paul Naquin, Lafourche Parish School Board District 4 Tier 2; Warren Tracey Brown, DeQuincy City Council, District 2 Tier 3; Mark H. Smith, Vernon Parish School Board, District 1 Tier 2; Melissa Renee Chain, Morehouse Parish School Board, District 1 Tier 3; Jerry R. Lapearous, Iowa Town Council, District A Tier 3; Lynne A. Treme, DeQuincy City Council, District 1 Tier 3;

Marilyn Bailey Crews, Bogalusa City Council, District A Tier 3; Gary Mickey Parker, Winn Parish School Board, District 11 Tier 3; Dillard P. Deville, St Landry Parish School Board, District 4 Tier 2; Glenda D. Bordelon, Forest Hill Board of Aldermen Tier 3; Dawson Lee Anglin, Gibsland Board of Aldermen Tier 3; Randall P. Bertrand, Morse Board of Aldermen Tier 3; Wade P. Clement, Morse Board of Aldermen Tier 3; Robert A. Vest, Oberlin Board of Aldermen Tier 3; Marcia Fralick Young, Village of Forest Hill Mayor Tier 3; Patrick William White, Town of Gibsland Mayor Tier 3; Gail B. Dunn, Woodworth Town Council Tier 3; Joseph K. Johnson, Avoyelles Parish Police Jury, District 4 Tier 3; and, Dwayne Bowers, Duson Board of Aldermen Tier 3. On motion made, seconded and passed by a vote of 6 yeas by Board Members Blewer, Bruneau, Leggio, Lemke, McAnelly and Shelton and 3 nays by Board Members Backkhaus, Ingrassia and Monroe, the Board concluded that these filers were not required to file their 2011 annual personal financial disclosure statements, since they left office on December 31, 2010.

The Board considered Answers in Docket No. 13-833 submitted by the following individuals in response to a notice of delinquency received requesting a personal financial disclosure statement be filed for the calendar year 2011: Carlton S. Faller, Kentwood Town Council Tier 3; Varick C. Taylor, Sr., Thibodaux City Council, District C Tier 3; Randy Shows, Jonesboro Board of Aldermen Tier 3; Ardifene Delano Williams, Claiborne Parish School Board, District 4 Tier 3; Edith Earnestine Teena Satcher, LeCompte Board of Aldermen Tier 3; Carla Smith, Hodge Board of Aldermen Tier 3; Carroll R. Layfield, Jonesboro Board of Aldermen, District A Tier 3; Tommy E. McKeel, Sr., East Carroll Parish School Board, District 8 Tier 3; Jim F. Slaven, Kentwood Town Council Tier 3; David Blanchard, Marshal Town of Evergreen Tier 3; Gerard Led Arceneaux, Rayne Board of Aldermen Tier 3; Gary G. Soileau, Town of Krotz Springs Mayor Tier 3; and, Pamela Pam Malveaux, East

Baton Rouge Parish School Board, District 1 Tier 3. On motion made, seconded and passed by a vote of 6 yeas by Board Members Blewer, Bruneau, Leggio, Lemke, McAnelly and Shelton and 3 nays by Board Members Backkhaus, Ingrassia and Monrose, the Board concluded that these filers were not required to file their 2011 annual personal financial disclosure statements, since they left office on December 31, 2010.

The Board considered Answers in Docket No. 13-887 submitted by the following individuals in response to a notice of delinquency received requesting a personal financial disclosure statement be filed for the calendar year 2011: Wendell Darwom Fife, Tullos Board of Aldermen Tier 3; Judy Lebrum Daniels; Town of Campti Mayor Tier 3; Roy G. Edwards, Grand Parish Police Jury, District 8 Tier 3; Shelley M. Ferro, Economic Development Corporation Tier 2.1; Chawana V. Fontenot, Eunice Board of Aldermen Tier 3; Tommy Nelson, Energy and Gas Authority New Roads Mayor Tier 2.1; Debra A. Savoie, Iberia Parish Tourist Commission Tier 2.1; Michael Hugh Wainwright, Caddo Bossier Port Commission Tier 2.1; and, Alfred James Young, Sr., Lake Providence Board of Aldermen Tier 2. On motion made, seconded and passed by a vote of 6 yeas by Board Members Blewer, Bruneau, Leggio, Lemke, McAnelly and Shelton and 3 nays by Board Members Backkhaus, Ingrassia and Monrose, the Board concluded that these filers were not required to file their 2011 annual personal financial disclosure statements, since they left office on December 31, 2010.

Chairman Monrose vacated the Chair. Vice Chairman Blewer assumed the Chair.

Ms. Allen provided an overview of the status of the bills introduced during the 2013 Regular Legislative Session that affect the laws under the jurisdiction of the Board of Ethics.

Representative Christopher Leopold, a candidate for State Representative in the February 27, 1999 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign

Finance Disclosure, in connection with a request in Docket No. 13-700 for a waiver of the \$600 late fee assessed against him for filing his Supplemental report 12 days late. On motion made, seconded and unanimously passed, the Board waived the entire late fee.

Board Member Monroe resumed the Chair.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, 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. 13-293 from Shelley Hebert of a \$120 late fee;
Docket No. 13-656 from Mary Morris of a \$40 late fee and a \$120 late fee;
Docket No. 13-695 from Billye Burns of a \$2,000 late fee; and,
Docket No. 13-698 from Jefferson Joyce of a \$240 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 13-293 for a waiver of the \$720 late fee assessed against Shelley G. Hebert, a candidate for Iberia City Council in the November 6, 2012 election, for filing her 40-G campaign finance disclosure report 18 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$720 late fee but suspended \$620 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. 13-592 for a waiver of the \$400 late fee assessed against Staci Albritton, a candidate for West Monroe Board of Aldermen in the March 2012 election, for filing her Supplemental report 14 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$400 late fee but suspended \$300 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. 13-696 for a waiver of the \$500 late fee assessed against Janet Ahern, a candidate for Orleans Parish Civil Court Judge in the March 24, 2012 election, for filing her Supplemental report 5 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$500 late fee but suspended \$200 conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered requests for “good cause” waivers of late fees assessed against the following lobbyists:

The Board considered a request in Docket No. 13-838 for a waiver of the \$50 late fee assessed against Julie Mickelberry for her failure to timely file a lobbyist expenditure report. On motion made, seconded and unanimously passed, the Board waived the \$50 late fee.

The Board considered a request in Docket No. 13-839 for a waiver of the \$300 late fee assessed against Michael Henry for his failure to timely file a lobbyist expenditure report. 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 Lobbyist Disclosure Act.

The Board considered a request in Docket No. 13-840 for a waiver of the \$500 late fee assessed against Reed Henderson for his failure to timely file a lobbyist expenditure report. On motion made, seconded and unanimously passed, the Board declined to waive the \$500 late fee but suspended the entire late fee conditioned upon future compliance with the Lobbyist Disclosure Act.

The Board considered a request in Docket No. 13-841 for a waiver of the \$550 late fee assessed against Jamie Welch for his failure to timely file a lobbyist expenditure report. On motion

made, seconded and unanimously passed, the Board waived the \$550 late fee.

The Board considered requests for “good cause” waivers of late fees assessed against the following individuals in connection with the failure to timely file personal financial disclosure reports:

On motion made, seconded and unanimously passed, the Board adopted the staff recommendations on the items listed on the waiver chart, excluding Docket Nos. 13-407, 13-409, 13-811, 13-821, 13-823, 13-824 and 13-825, taking the following action:

The Board unanimously waived the late fees assessed against the following:

Docket No. 13-809 from Matthew Ory of a \$1,500 late fee;
Docket No. 13-810 from Treva Maricle of a \$1,500 late fee;
Docket No. 13-816 from Jack Grayson, III of a \$1,500 late fee;
Docket No. 13-817 from David Deere of a \$1,500 late fee;
Docket No. 13-818 from David Gentry of a \$1,500 late fee;
Docket No. 13-819 from Becky Rogers of a \$1,500 late fee;
Docket No. 13-820 from John Moreau of a \$1,500 late fee;
Docket No. 13-826 from Billy Murphy of a \$1,500 late fee; and,
Docket No. 13-827 from Jeffery Weed of a \$1,500 late fee.

The Board considered a request in Docket No. 13-817 for a waiver of the \$1,500 and \$1,500 late fees assessed against David Deere, a former member of the Louisiana Oyster Task Force, for filing his 2010 Tier 2.1 annual personal financial disclosure statement 512 days late and for filing his 2011 Tier 2.1 annual personal financial disclosure statement 45 days late. On motion made, seconded and unanimously passed, the Board declined to waive the late fees totaling \$3,000 but suspended the late fees totaling \$3,000 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 13-13-820 for a waiver of the \$1,500 late fee assessed against John Moreau, Simmesport Police Chief, for filing his 2010 Tier 3 annual personal

financial disclosure statement 406 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. 12-407 for a waiver of the \$2,500 late fee assessed against Donald Cravins, Sr., candidate for Mayor of the City of Opelousas in the October 22, 2011 election, for filing his 2010 Tier 2 candidate personal financial disclosure statement 55 days late. On motion made, seconded and unanimously passed, the Board deferred the matter to the August meeting to allow Mr. Cravins to appear before the Board.

The Board considered a request in Docket No. 13-409 for a waiver of the \$1,500 late fee assessed against Alvin Jackson, a member of the Town of Richwood Board of Aldermen, for filing his 2009 Tier 3 annual personal financial disclosure statement 134 days late. On motion made, seconded and unanimously passed, the Board deferred the matter to the August meeting.

The Board considered a request in Docket No. 13-811 for a waiver of the \$1,500 late fee assessed against Lisa Washington, a member of the Clinton Board of Aldermen, for filing her 2009 Tier 3 annual personal financial disclosure statement 317 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee.

The Board considered a request in Docket No. 13-821 for a waiver of the \$1,500 late fee assessed against Neil Mott, III, a member of the Oak Ridge Board of Aldermen, for filing his 2009 Tier 3 annual personal financial disclosure statement 358 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. 13-823 for (1) a waiver of the \$1,500 late fee

assessed against Margaret Crews, a member of the Village of Mound Board of Aldermen, for filing her 2010 Tier 3 annual personal financial disclosure statement 350 days late; and, (2) a waiver of the \$1,500 late fee assessed against Walter Crews, a member of the Village of Mound Board of Aldermen, for filing his 2010 Tier 3 annual personal financial disclosure statement 350 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee assessed against Margaret Crews, but suspended the entire late fee conditioned upon future compliance with the Code of Governmental Ethics and declined to waive the \$1,500 late fee assessed against Walter Crews, but suspended the entire late fee conditioned upon future compliance with the Code of Governmental Ethics.

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

The Board considered a request for an advisory opinion in Docket No. 13-848 regarding whether Martin Floyd, a biologist for the Department of Wildlife and Fisheries, may provide services to companies outside of the Department of Wildlife and Fisheries. On motion made, seconded and unanimously passed, the Board concluded that (1) no violation of the Code of Governmental Ethics is presented by Mr. Floyd providing services to Ensava, a company headquartered in Vermont, since Ensava does not have any contracts with the Department of Wildlife and Fisheries; and, (2) absent specific information, declined to render an advisory opinion with respect to Mr. Floyd's private company, Floyd EConsultants, LLC, and future consulting contracts. The Board further instructed the staff to advise Mr. Floyd of the general provision of Section 1111C(2)(d) of the Code of Governmental Ethics.

On motion made, seconded and unanimously passed, the Board agreed to take action on items GS2-GS7 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 GS2-GS7 taking the following action:

The Board considered a request for an advisory opinion in Docket No. 13-693 regarding whether the Louisiana Real Estate Appraiser Board (LREAB) may appoint Cheryl Bella to the LREAB while she teaches courses at the Greater Baton Rouge Association of Realtors. On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by Ms. Bella's appointment to the LREAB, since the Greater Baton Rouge Association of Realtors is not regulated by Ms. Bella's agency (the LREAB), nor does the Association have a substantial economic interest that may be affected by the performance or nonperformance of Ms. Bella's job duties on the LREAB and since Ms. Bella's compensation is based on an hourly fee, and is not directly from the attendees.

The Board considered a request for an advisory opinion in Docket No. 13-709 regarding William K. Rhinehart's former employment with the Louisiana Coastal Protection and Restoration Authority (CPRA), and what limitations the post employment provisions in the Code of Governmental Ethics will have on Mr. Rhinehart's new position with Royal Engineers and Consultants. On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by Mr. Rhinehart assisting the Water Institute of the Gulf as an employee with Royal Engineers and Consultants, since Mr. Rhinehart will be completely separated from any transaction in which the Water Institute is involved with the Planning and Research Division of the CPRA. In addition, since Mr. Rhinehart will not be assisting the Water Institute of the Gulf with any transaction in which he participated while an employee of the CPRA, no violation of Section 1121B of the Code of Governmental Ethics is presented.

The Board considered a request for an advisory opinion in Docket No. 13-996 regarding C.J. Christ, a board member of the Terrebonne Parish Veteran's Memorial District, doing business through a storage facility that he owns with the Regional Military Museum Foundation, of which he serves as President and CEO, and the Terrebonne Parish Veteran's Memorial District. On motion made, seconded and unanimously passed, the Board concluded that Section 1113B of the Code of Governmental Ethics prohibits the Regional Military Museum Foundation from receiving \$50 per month from the Veteran's Memorial District to reimburse the Museum for storage of jeeps in the facility owned by Mr. Christ while he serves as a member of the Board, since Mr. Christ would have an economic interest in the payments to be made by the Terrebonne Parish Veteran's Memorial District.

The Board considered a request for an advisory opinion in Docket No. 13-1018 regarding Daniel Blanchard, a current employee of Jefferson Parish Sheriff's Office (JPSO), providing real estate appraisal services to his former agency after he terminates his employment. On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by Mr. Blanchard providing contract appraisal services to JPSO following his termination, since he will not be assisting in transactions in which he participated during his employment with JPSO and will not be performing the same service that he performed while employed with JPSO.

The Board considered a request for an advisory opinion in Docket No. 13-1019 regarding Donna Mathews working as a Volunteer Coordinator with the Rapides Children's Advocacy Center/CASA following her employment with the Department of Children and Family Services (DCFS). On motion made, seconded and unanimously passed, the Board concluded that no violation

of the Code of Governmental Ethics is presented by Ms. Mathews accepting a position as a Volunteer Coordinator with CASA within two years of her employment with DCFS, since she did not participate in cases in the Child Welfare Division with the DCFS and, as an employee of CASA, will not be compensated for assisting a person in matters involving her former agency (the Alexandria Regions of DCFS) in which she participated.

The Board considered a request for an advisory opinion in Docket No. 13-1020 regarding Brian Trainor serving as a prosecutor for the Mayor's Court in Abita Springs and magistrate for the Mayor's Court for Abita Springs while he serves as the Chief Deputy for the St. Tammany Parish Sheriff's Office. On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by Mr. Trainor serving as prosecutor for the Mayor's Court in Abita Springs and magistrate for the Mayor's Court in Abita Springs while he serves as the Chief Deputy for the St. Tammany Parish Sheriff's Office, since he will not be entering into any transactions under the supervision or jurisdiction of his agency, nor is he participating in something in which he or a person he is employed with has a substantial economic interest. The Board further recommended that Mr. Trainor contact the Attorney General's Office regarding dual office holding laws.

The Board considered charges filed in Docket No. 09-860 against Elizabeth Jones, a former employee of the City of Grambling, for a violation of Section 1111A of the Code of Governmental Ethics by writing checks to herself for which she was not entitled. The Board instructed the staff to proceed with the hearing before the Ethics Adjudicatory Board.

The Board considered the Judgment rendered in Docket No. 11-1326 with respect to Louisiana Board of Ethics v. Melvin "Kip" Holden, Court of Appeal, First Circuit, 2012-CA-1127.

The Board instructed the staff not to proceed with a Writ to the Supreme Court.

The Board unanimously adjourned at 12:06 p.m.

Secretary

APPROVED:

Chairman