

LOUISIANA BOARD OF ETHICS
MINUTES
April 17, 2015

The Board of Ethics met on April 17, 2015 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, Ingrassia, Larzelere, Leggio, McAnelly, Michiels, Monroe and Shelton present. Absent were Board Members Backhaus, and Lemke. Also present were the Ethics Administrator, Kathleen Allen; the Acting Executive Secretary, Lyndy Donaldson; and Counsel Tracy Barker, Mike Dupree, Jennifer Land, Suzanne Mooney, Brett Robinson and Haley Williams.

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

The Board considered a request in Docket No. 14-1470 for a waiver of the \$500 late fee assessed against Elizabeth Pittman-McDaniel, a member of the Tangipahoa Parish School Board, for filing her 2013 Tier 2 Annual personal financial disclosure statement 5 days late. The Board unanimously declined to take any action with respect to the request, since the \$500 late fee had been paid.

Mr. Jimmy Burland appeared before the Board on behalf of Representative Ernest Wooton, District 105, in connection with a request in Docket 15-092 for a waiver of the \$2,500 late fee assessed against Representative Wooton for filing his 2012 Tier 2 Annual personal financial

disclosure statement 483 days late. After hearing from Mr. Burland, 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 and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

Dr. C. Richard Atkins, D.D.S., a recent appointee to the Louisiana State Board of Dentistry, and his attorney, Mr. Scott Frazier, appeared before the Board in connection with a request for an advisory opinion in Docket No. 15-143 regarding whether the prohibition on state employees lobbying found in La. R.S. 24:56F applies to members of the Louisiana State Board of Dentistry and whether the members of the Louisiana State Board of Dentistry have a duty to report any potential violation in compliance with Section 1161A of the Code of Governmental Ethics. After hearing from Dr. Atkins and Mr. Frazier, on motion made, seconded and unanimously passed, the Board concluded that the Lobbying laws under the jurisdiction of the Board of Ethics apply to the members of the Louisiana State Board of Dentistry. The Board affirmed its advisory opinion in Board Docket No. 13-1074 in which it concluded that members of the Louisiana Board of Dentistry are "state employees" subject to the provisions in La. R.S. 24:56. Further, while it is in the public interest for board members to report a violation of La. R.S. 24:56 it is not required by La. R.S. 42:1161A. La. R.S. 42:1161A provides that every agency head shall file confidential reports with the board on any matter that comes to his attention which he believes may constitute a violation of this Chapter which is within the boards jurisdiction. However, La. R.S. 42:1161A limits the duty to report to violations of the Code of Governmental Ethics found in Title 42 Chapter 15 of the Louisiana Revised Statutes.

Mr. Elliott J. Bizette, Jr., a candidate for Constable, Pointe Coupee Parish in the November

4, 2014 election, appeared before the Board in connection with a request in Docket No. 15-185 for a waiver of the \$1,500 late fee assessed against him for filing his 2013 Tier 3 Candidate personal financial disclosure statement 116 days late. After hearing from Mr. Bizette, on motion made, seconded and passed by a vote of 8 yeas by Board Members Blewer, Bruneau, Ingrassia, Larzelere, Leggio, McAnelly, Michiels and Shelton and 1 nay by Board Member Monroe, the Board declined to waive the \$1,500 late fee but suspended \$1,400 conditioned upon future compliance with the Code of Governmental Ethics and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

Ms. Jacqueline Billeau Labat, a member of the Council for the Development of French in Louisiana, appeared before the Board in connection with a request in Docket No. 15-193 for a waiver of the \$1,500 late fee assessed against her for filing her 2012 Tier 2.1 Annual personal financial disclosure statement 126 days late. After hearing from Ms. Labat, 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.

Mr. Lyndon Blanchard, a former member of the Aquatic Chelonian Research and Promotion Board, and his wife, Mrs. Darla Blanchard, appeared before the Board in connection with an untimely request in Docket No. 15-200 for a waiver of the two (2) \$1,500 late fees assessed against Mr. Blanchard for filing his 2012 Tier 2.1 Annual personal financial disclosure statement 399 days late and his 2013 Tier 2.1 Annual personal financial disclosure statement 66 days late. On motion made, seconded and unanimously passed, the Board agreed to consider the waiver request. After hearing from Mr. and Mrs. Blanchard, on motion made, seconded and unanimously passed, the Board waived the late fees totaling \$3,000.

Mr. Louis Buatt appeared before the Board in connection with a request in Docket No. 15-261 for a waiver of the \$350 late fee assessed against him for failure to timely file his September 2014 Lobbyist Expenditure report. After hearing from Mr. Buatt, on motion made, seconded and passed by a vote of 6 yeas by Board Members Bruneau, Ingrassia, Larzelere, McAnelly, Monroe and Shelton and 3 nays by Board Members Blewer, Leggio and Michiels, the Board declined to waive the \$350 late fee but suspended the entire late fee conditioned upon future compliance with the Lobbyist Disclosure Act.

The Board considered a request for reconsideration in Docket No. 14-565 for a waiver of the \$1,500 late fee assessed against Stephen Cagle, a member of the Bayou D'Arbonne Lake Watershed District, for filing his 2012 Tier 2.1 Annual personal financial disclosure statement 34 days late. On motion made, seconded and unanimously passed, the Board affirmed its decision to decline to waive the \$1,500 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-1344 for a waiver of the \$300, \$600 and \$600 late fees assessed against Charles O'Brien, a candidate for East Baton Rouge Parish School Board, District 8 in the November 4, 2014 election, for filing his 30-P, EDE-P and 10-G campaign finance disclosure reports 5, 20, and 62 days late. On motion made, seconded and unanimously passed, the Board (1) declined to waive the \$300 late fee with respect to the 30-P campaign finance disclosure report but suspended the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act; and (2) declined to waive the late fees totaling \$1,200 with respect to the EDE-P and 10-G campaign finance disclosure reports.

Ms. Shashonnie Steward, a member of the Park Forest East Crime Prevention and

Improvement District, appeared before the Board in connection with a request in Docket No. 15-190 for a waiver of the \$950 late fee assessed against her for filing her Amended 2013 Tier 2.1 Annual personal financial disclosure statement 19 days late. After hearing from Ms. Steward, on motion made, seconded and passed by a vote of 6 yeas by Board Members Bruneau, Ingrassia, Leggio, McAnelly, Michiels and Shelton and 3 nays by Board Members Blewer, Larzelere and Monroe, the Board waived the entire \$950 late fee.

The Board recessed at 10:13 a.m. and resumed back into general business session at 10:21 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 G12-G31 en globo subject to any items being removed from the en globo listing for further discussion.

On motion made, seconded and unanimously passed, the Board adopted the staff recommendations on items G12-G31, excluding items G12, G17, G19 and G21, taking the following action:

Absent the requested additional information, declined to render an advisory opinion in Docket No. 14-1561 regarding whether Charlene Worley, an employee of the Department of Children and Family Services, may apply for the position of project manager with RedMane Technologies to work on a contract with the Department of Children and Family Services to maintain and enhance the child support system, which may include maintaining elements of the CAFÉ system.

Adopted an advisory opinion in Docket No. 15-021 concluding that no violation of the Code of Governmental Ethics would be presented by Oscar Dantzler and his company, Dantzler's Affordable Bail Bond, continuing to provide bail bonding services if Mr. Dantzler is hired as a deputy marshal for the 7th Ward District in Tangipahoa Parish, since the services performed on transactions occurring outside of the District would not be under the supervision or jurisdiction of the District. The Board further concluded that Section 1113 of the Code of Governmental Ethics would prohibit Mr. Dantzler and Dantzler's Affordable Bail Bond from performing the bondsman services for any transactions that occur or arise from the District.

Adopted an advisory opinion in Docket No. 15-064 concluding that Section 1113A of the Code of Governmental Ethics would prohibit Christopher Basile, a laborer for the St. Bernard Parish Department of Recreation, Culture, and Tourism (DRCT), from contracting with Greater New Orleans Sports Officials while he is employed with the DRCT, since the services performed would be under the supervision of his agency, the DRCT. The Board further advised that Section 1111C(2)(d) of the Code of Governmental Ethics would prohibit Mr. Basile from receiving any compensation for services rendered to Greater New Orleans Sports Officials, since they are seeking a contractual relationship with his agency.

Adopted an advisory opinion in Docket No. 15-065 concluding that Section 1119 of the Code of Governmental Ethics would prohibit the daughter, Cassandra Duhon, of Lee Faulk, the agency head of the Road and Bridge Department for Cameron Parish, from being transferred to the Road and Bridge Department or from being trained in the Road and Bridge Department before her father retires.

Adopted an advisory opinion in Docket No. 15-108 concluding that Section 1111C(2)(d) of

the Code of Governmental Ethics would prohibit Keenan Broussard from serving on the Henderson-Nina Water Board of Directors while his wife, Judy Broussard, serves as a councilwoman for the Town of Henderson, since the Town of Henderson has a cooperative endeavor agreement with Henderson-Nina Water System Inc.

Adopted an advisory opinion in Docket No. 15-113 with respect to whether Dawn Brown being employed by District 62 Gang 550 within the Department of Transportation and Development (DOTD) will pose a conflict with her outside employment as owner and operator of CDL Training & Consulting LLC (CDL Consulting) concluding that (1) if an organization has a contractual, financial or business relationship with her Gang, Ms. Brown would be prohibited by Section 1111C(2)(d) of the Code of Governmental Ethics from receiving compensation for services provided to such person or organization; and, (2) Section 1111A(1)(a) of the Code of Governmental Ethics would prohibit Ms. Brown from receiving compensation she is not duly entitled from the Gang for time that she is not providing services to the Gang.

Adopted an advisory opinion in Docket No. 15-150 with respect to post-employment restrictions that would apply to J. Albert Ellis, the former Monroe Regional Office Chief for the Attorney General's Office, concluding the following:

(1) As a former Office Chief, is Mr. Ellis ethically precluded from participating in cases wherein he had no personal knowledge, no privileged knowledge or information and has taken no substantive act in the case, except to recuse himself, when an attorney in the case was one of whom he had a prior personal knowledge or a former business relationship which ended 15 years prior to his recusal but the case is being monitored by the Monroe Office?

The Code of Governmental Ethics would prohibit Mr. Ellis, for a period of two years following the termination of his public service, from assisting another person, for compensation, in any transaction, or in an appearance in connection with a transaction, including but not limited to any litigation, involving the Monroe Regional Office regardless of his knowledge of, or prior participation in, the transaction. Additionally, the Code of Governmental Ethics would prohibit Mr. Ellis, for the same two year period, from assisting another person, for compensation, in any transaction, or in an appearance in connection with a transaction, in which he participated at any time during his public service that involves the Attorney General's Office. Finally, the Code of Governmental Ethics would prohibit Mr. Ellis, for the same two year period, from rendering any service that he rendered during the term of his public employment on a contractual basis, regardless of the parties to the contract, to, for, or on behalf of his former agency.

(2) As a former Office Chief, or Assistant Attorney General (AAG), is Mr. Ellis precluded from bringing or participating in any civil litigation in tort, or for other relief, in a case which was not pending nor filed during his tenure in office, and/or where the cause of action arose after his tenure in office, but involves a state agency that he may have defended in a wholly unrelated and closed case?

The Board declined to render an opinion based on the limited information provided. If a specific case arises in the future, it is the recommendation of the Board that Mr. Ellis request another advisory opinion regarding his post-employment restrictions at that time.

(3) As a former Office Chief, or AAG, is Mr. Ellis precluded from bringing or participating in any civil litigation in tort, or for other relief, in a case in which a state employee in their official capacity as a state agent, officer or employee was a named defendant and previously represented by him in a suit now fully concluded, and said person is not now a named defendant in a wholly unrelated case in which the State agency is a named defendant or party?

The Board declined to render an opinion based on the limited information provided. If a specific case arises in the future, it is the recommendation of the Board that Mr. Ellis request another advisory opinion regarding his post-employment restrictions at that time.

(4) As a former Office Chief, or AAG, is Mr. Ellis precluded from bringing or participating in any civil litigation in tort, or for other relief, in a case in which a state employee in their official capacity as a state agent, officer or employee was a named defendant and previously represented by him in a suit now fully concluded, and said person is now a named defendant in a wholly unrelated case in which both the State agency is a named defendant or party and the previously represented employee is a named defendant, party, or witness?

The Board declined to render an opinion based on the limited information provided. If a specific case arises in the future, it is the recommendation of the Board that Mr. Ellis request another advisory opinion regarding his post-employment restrictions at that time.

(5) As a former Office Chief, or AAG, is Mr. Ellis precluded from bringing or participating in any civil litigation in tort, or for other relief, in a case in which a state employee in their official capacity as a state agent was previously a state witness offered by him in a suit now fully concluded, and said person is now a named defendant in a wholly unrelated case?

The Board declined to render an opinion based on the limited information provided. If a specific case arises in the future, it is the recommendation of the Board that Mr. Ellis request another advisory opinion regarding his post-employment restrictions at that time.

(6) As a former Office Chief, or AAG, is Mr. Ellis precluded from bringing or participating in any civil litigation in tort, or for other relief, in a case in which a state agency alone, without the naming of any individual, was represented by him in a suit now fully concluded, and said agency is now a named defendant in a wholly unrelated case?

The Board declined to render an opinion based on the limited information provided. If a specific case arises in the future, it is the recommendation of the Board that Mr. Ellis request another advisory opinion regarding his post-employment restrictions at that time.

The Board further advised that Section 1121C of the Code provides that no legal entity in which a former public servant is an officer, director, trustee, partner, or employee shall, for a period of two years following the termination of his public service, assist another person, for compensation, in a transaction, or in an appearance

in connection with a transaction in which such public servant at any time participated during his public service and involving the agency by which he was formerly employed or in which he formerly held office. Additionally, Section 1121D of the Code of Governmental Ethics provides that no former public servant shall share in any compensation received by another person for assistance which such former public servant is prohibited from rendering by this Section.

Adopted an advisory opinion in Docket No. 15-157 concluding that no violation of the Code of Governmental Ethics is presented by Brian Champagne, the St. Charles Parish Registrar of Voters, expressing his opinion for or against proposed legislation before a committee of the legislature or to a legislator individually, since Registrars of Voters are not "state employees" as contemplated by La. R.S. 24:56F. Therefore, Mr. Champagne, as the Registrar of Voters for St. Charles Parish, would not be prohibited from communicating with a legislator or a committee of the legislature for the purpose of influencing the passage or defeat of legislation pending before the legislature or a committee thereof.

Adopted an advisory opinion in Docket No. 15-159 concluding that Section 1119A of the Code of Governmental Ethics would prohibit the employment of Henry House II, son of the Vivian City Clerk Dian House, by Ryan Nelson, the Vivian Chief of Police, as a part-time dispatcher, since the part-time dispatcher position is under the supervision or jurisdiction of the Town of Vivian and Henry House would be employed in the same agency as his mother, who, as town clerk is considered an agency head.

Adopted an advisory opinion in Docket No. 15-160 concluding that Section 1111C(2)(d) of the Code of Governmental Ethics would prohibit Lindora Baker, a Caddo Parish Commissioner,

from accepting employment with a medical clinic owned by Biomedical Research Foundation of Northwest Louisiana at a time when Biomedical Research Foundation of Northwest Louisiana has a financial relationship with Caddo Parish, since the Foundation wholly owns the hospital and its clinics, and the Foundation has a financial relationship with Caddo Parish.

Adopted an advisory opinion in Docket No. 15-165 concluding that (1) members of the Board of Commissioners of the East Union Parish Hospital Service District are not required to file annual personal financial disclosure statements pursuant to the Code of Governmental Ethics, since the Police Jury, which created the District, is a single parish governing authority and Union Parish has a population of less than 200,000; (2) while Union General Hospital (UGH) operates the Hospital according to an agreement with the District, it does so under the power and authority of the District. Therefore, Howard Curtis Allen, and any other board member of the District, is required to file a hospital service district disclosure statement each year that a member of his immediate family is employed with the hospital; and, (3) since the 340B Drug Discount Program is under the supervision or jurisdiction of the District pursuant to La. R. S. 46:1052, the pharmacy owned by Bruce Matte, a board member of the District, is prohibited from bidding on or entering into or being in any way interested in the Program.

Adopted an advisory opinion in Docket No. 15-167 concluding that Section 1113B of the Code of Governmental Ethics would prohibit Charles LeJeune from being hired by the Folklife Program (Program) to research Louisiana's Neutral Strip while he serves as a member of the Louisiana Folklife Commission (Commission), since as a member of the Commission which advises the LOCD on an annual state plan for the Louisiana folk cultural resources, research for the Louisiana Neutral Strip, through the Folklife Program, would be a transaction within his agency.

Adopted an advisory opinion in Docket No. 15-171 concluding that no violation of the Code of Governmental Ethics is presented by Bill King submitting a bid for contract services with the Department of Transportation and Development (DOTD), another state agency, or performing consultant work following his retirement from the Research and Development Section within the Louisiana Transportation Research Center (LTRC) of DOTD, since Mr. King has not performed the proposed duties or participated in the transaction of developing a program for off-system ratings for bridges at any time he has been the agency head for the materials research agency within Section of LTRC and such a transaction does not include his former agency. The Board further advised that Mr. King would not be prohibited from being employed by Louisiana State University as LSU is not considered a person as defined by the Code of Governmental Ethics. The Board declined to render an opinion as to Mr. King's employment in a consulting position due to a lack of information.

Adopted an advisory opinion in Docket No. 15-172 concluding that Section 1113A(1)(a) of the Code of Governmental Ethics would prohibit the daughter of Patti Elish, the President and CEO of St. Tammany Parish Hospital, from entering into an independent contractor relationship with Physicians Group, a healthcare contractor of the St. Tammany Parish Hospital, since the contractual agreement between Physicians Group and the hospital allows for Emergency Department professionals to be under the supervision or jurisdiction of the hospital.

Adopted an advisory opinion in Docket No. 15-204 concluding that Section 1115B of the Code of Governmental Ethics would prohibit Renee Grantham, Director of the Allen Parish Library, from accepting complimentary admission from Ashley Weaver, the Technical Services Coordinator for Allen Parish Libraries, to attend an award banquet at which Ms. Weaver is nominated for an award.

Adopted an advisory opinion in Docket No. 15-276 concluding that Section 1121 of the Code of Governmental Ethics prohibits Mark Perry, an employee of the Department of Health and Hospitals' Medicaid Bayou Health Program, from being employed as the Provider Relations Manager with Aetna for two years following the termination of his public employment, since as the Bayou Health Subject Matter Expert for Provider Network Adequacy and Provider Services, Mr. Perry was involved to some degree with implementation of the Plans after the contracts were awarded. Furthermore, he is currently responsible for reviewing Aetna's policy documents, provider network adequacy data, and other provider related reports and materials to monitor Aetna's contract compliance.

Deferred action with respect to a request for an advisory opinion in Docket No. 14-1357 regarding whether Grant Soileau and his son, Hunter Soileau, may both serve as members of the Evangeline Parish Fire District Board #2 (EPFD).

Granted a request for withdrawal of a request for an advisory opinion in Docket No. 15-106 regarding whether Gerald Hebert, the son of a member of the Board of Supervisors of the University of Louisiana System, may be employed by the Louisiana Small Business Development Center located at University of Louisiana Lafayette, since the Louisiana Small Business Development Center hired a new business consultant.

Deferred action with respect to a request for an advisory opinion in Docket No. 15-111 regarding the propriety of R. David Brown renting a residential property to other lobbyists, legislators, or legislative employees.

Adopted an advisory opinion in Docket No. 15-148 concluding that Section 1121A(1) of the Code of Governmental Ethics prohibits Troy Trahan, a former member of the Lake Arthur Town

Council, from contracting with his former agency, the Town of Lake Arthur, for a period of two years from the termination of his office, since Mr. Trahan is no longer a member of the municipality's governing authority and the exception contained in Section 1123(22) of the Code of Governmental Ethics only applies to members of the governing authority of a municipality and not former members.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G32-G52 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 G32-G52, excluding item G50, taking the following action:

In connection with an Answer filed in Docket No. 15-073 on behalf of the Crab Task Force ex-officio members, Julie Ann Anderson, Rex Caffery, Alan Matherne, Melissa Trosclair Daigle, Jack Coburn Isaacs, and Carl F. Britt, Jr. in response to Notices of Delinquency issued for the failure to file 2013 Annual personal financial disclosure statements, instructed the staff to advise Mark Shexnayder, Deputy Assistant Secretary of the Department of Wildlife and Fisheries (DWF), that Crab Task Force ex-officio members, Julie Ann Anderson, Rex Caffery, Alan Matherne, Melissa Trosclair Daigle, Jack Coburn Isaacs, and Carl F. Britt, Jr., are required to file Annual personal financial disclosure statements, since, in accordance with Board Opinion 2008-594, ex-officio members of a board or commission which expends over \$10,000 in funds are required to file an Annual personal financial disclosure statement.

In connection with an Answer filed in Docket No. 15-128 by Donald Armand, a former member of the City of Alexandria Employee Retirement System Board, in response to a Notice of

Delinquency requesting he file his 2013 Tier 2.1 Annual personal financial disclosure statement, instructed the staff to advise Mr. Armand that he is required to file the year following the termination of his office, which means that he is required to file a 2013 Tier 2.1 Annual personal financial disclosure statement.

In connection with an Answer filed in Docket No. 15-129 by George Mayeaux, former member of the Avoyelles Parish Police Jury, in response to a Notice of Delinquency received requesting he file his 2013 Tier 3 Annual personal financial disclosure statement, instructed the staff to advise Mr. Mayeaux that he is required to file the year following the termination of his office, which means that he is required to file a 2013 Tier 2.1 Annual personal financial disclosure statement.

In connection with an Answer filed in Docket No. 15-131 on behalf of Clint Michael "Mike" Domangue, Jr., a former member of the Houma Area Convention and Visitors Bureau (Terrebonne Parish), in lieu of filing a personal financial disclosure statement in response to a Notice of Delinquency, instructed the staff to advise Mr. Domangue that he has 7 business days to file a 2013 Tier 2.1 Annual personal financial disclosure statement, since he terminated his service on the Board in May 2013 and therefore, was required to file a personal financial disclosure statement by May 15, 2014 covering the time he held the office in 2013.

In connection with an Answer filed in Docket No. 15-133 on behalf of Nellisha D. Johnson, a former member of the Board of Aldermen for the Village of Saline, Bienville Parish, in lieu of filing a personal financial disclosure statement in response to a Notice of Delinquency, instructed the staff to advise Ms. Johnson that she has 7 business days to file her 2013 Tier 3 Annual personal financial disclosure statement, since Ms. Johnson served as a member of the Board of Aldermen

from April 2013 until the October 2013 election was held and therefore, was required to file a personal financial disclosure statement by May 15, 2014 covering the time she held the office in 2013.

In connection with an Answer filed in Docket No. 15-134 by Joseph W. Mosley, former Constable for Jackson Parish District C, in lieu of filing a personal financial disclosure statement in response to a Notice of Delinquency, instructed the staff to advise Mr. Mosley that he has 7 business days to file his 2013 Tier 3 Annual personal financial disclosure statement, since Mr. Mosley provided no proof that his service terminated prior to December 31, 2014; therefore, he was required to file a personal financial disclosure statement by May 15, 2014 covering 2013.

In connection with an Answer filed in Docket No. 15-135 by Todd P. Murphy, a former member of the Southeast Regional Airport Authority, in response to a Notice of Delinquency, instructed the staff to advise Mr. Murphy that he has 7 business days to file his 2013 Tier 2.1 Annual personal financial disclosure statement, since Mr. Murphy served on the Southeast Regional Airport Authority Board during 2013 and therefore, was required to file a personal financial disclosure statement by May 15, 2014 covering the 2013 calendar year.

In connection with an Answer filed in Docket No. 15-136 by Frank R. Bayer, Police Pension Fund Board of Trustees, in response to a Notice of Delinquency, instructed the staff to advise Mr. Bayer that he has 7 business days to file his 2013 Tier 2.1 Annual personal financial disclosure statement, since Mr. Bayer terminated his service in April of 2013 and therefore, was required to file a personal financial disclosure statement by May 15, 2014 covering the time he held the office in 2013.

In connection with an Answer filed in Docket No. 15-137 by Paul W. Castile, Embalmers

and Funeral Directors Board, in response to a Notice of Delinquency, instructed the staff to advise Mr. Castile that he has 7 business days to file his 2013 Tier 2.1 Annual personal financial disclosure statement, since Mr. Castile served on the Embalmers and Funeral Directors Board in 2013 and therefore, he was required to file a personal financial disclosure statement by May 15, 2014 covering the 2013 calendar year.

In connection with an Answer filed in Docket No. 15-138 by Brad A. Brechtel, a former member of the Children's Charter School Board in response to a Notice of Delinquency, instructed the staff to advise Mr. Brechtel that he is not required to file a 2013 Tier 3 Annual personal financial disclosure statement, since Mr. Brechtel terminated his service prior to January 1, 2013 and therefore, was not required to file a personal financial disclosure statement by May 15, 2014 covering the time he held the office in 2013.

In connection with an Answer filed in Docket No. 15-174 by Deloris Lynch, a member of the Shreve Memorial Library Board, in response to a Notice of Delinquency, instructed that staff to advise Ms. Lynch that she has 7 business days to file her 2013 Tier 2.1 Annual personal financial disclosure statement, since Ms. Lynch provided no proof that she has already filed her 2013 personal financial disclosure statement.

In connection with an Answer filed in Docket No. 15-176 on behalf of W. Nelson Philpot, a former board member of the Homer Memorial Hospital Service District (Claiborne Parish), in lieu of filing a hospital service district disclosure statement in response to a Notice of Delinquency, closed the file, since Mr. Philpot no longer serves as a member of a board of a hospital service district.

In connection with an Answer filed in Docket No. 15-177 by Craig Andrews a member of

the Board of River Port Pilots Commission in response to a Notice of Delinquency, instructed the staff to advise Mr. Andrews that he has 7 business days to file his 2013 Tier 2.1 Annual personal financial disclosure statement, since Mr. Andrews served on the Board of River Port Pilots Commission during 2013 and therefore, he was required to file a personal financial disclosure statement by May 15, 2014 covering the 2013 calendar year.

In connection with an Answer filed in Docket No. 15-178 by David Williams, a former member of the Feed, Fertilizer, and Agriculture Liming Commission, in response to a Notice of Delinquency requesting he file a 2013 Tier 2.1 Annual personal financial disclosure statement, instructed the staff to advise Mr. Williams that he is required to file his 2013 Tier 2.1 Annual personal financial disclosure statement following the termination of his service.

In connection with an Answer filed in Docket No. 15-179 by Kyle Eugene Todd, a member of the Flyway Byway Board, in response to a Notice of Delinquency, instructed the staff to advise Mr. Todd that he is not required to file a 2013 Tier 2.1 Annual personal financial disclosure statement, since the Flyway Byway Board does not have the power to expend \$10,000 in funds.

In connection with an Answer filed in Docket No. 15-180 by John Pennington Cadenhead, a member of the Capitol Area Groundwater Conservation Commission, in response to a Notice of Delinquency, instructed the staff to advise Mr. Cadenhead that he has 7 business days to file his 2013 Tier 2.1 Annual personal financial disclosure statement, since Mr. Cadenhead served on The Capitol Area Groundwater Conservation Commission during 2013 and therefore, was required to file a personal financial disclosure statement by May 15, 2014 covering the 2013 calendar year.

In connection with an Answer filed in Docket No. 15-181 by Danny Ray Keyes, a former member of the Workforce Investment Board, in response to a Notice of Delinquency received

requesting he file his 2013 Tier 2.1 Annual personal financial disclosure statement, instructed the staff to advise Mr. Keyes that he has 7 business days to file his 2013 Tier 2.1 Annual personal financial disclosure statement, since Mr. Keyes resigned in 2013, he was required to file a 2013 personal financial disclosure statement on or before May 15, 2014.

In connection with an Answer filed in Docket No. 15-182 by Dan P. Logan, Jr., a former member of the Caddo Parish Levee District, in response to a Notice of Delinquency received requesting he file his 2013 Tier 2.1 Annual personal financial disclosure statement, closed the file, since Mr. Logan resigned in 2012 and he was not required to file a 2013 personal financial disclosure statement.

Accepted for filing, the disclosure statements filed in Docket No. 15-184 for January, 2015.

Accepted for filing, the disclosure statements filed in Docket No. 15-199 for February, 2015.

In connection with an Answer filed in Docket No. 15-183 by Pinckney A. Wood, a member of the Louisiana Animal Welfare Commission, in response to a Notice of Delinquency requesting he file his 2013 Tier 2.1 Annual personal financial disclosure statement, instructed the staff to advise Mr. Wood that he has 7 business days to file his 2013 Tier 2.1 Annual personal financial disclosure statement, since the statute does not state that members are only required to file reports if their board or commission receives state funds.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the March 19-20, 2015 meetings.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered an opinion in Docket No. 03-1002 regarding Jimbo Davlin, a candidate for Caddo Parish

Commissioner in the October 4, 2003 election, failing to file reports. On motion made, seconded and unanimously passed, the Board reinstated the original decision to suspend \$4,000 of the penalty if Mr. Davlin pays \$1,000.

The Board considered a proposed consent opinion in Docket No. 10-705 regarding Tommy Nelson, former Mayor of New Roads, who was involved in and convicted during "Operation Blighted Official." On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion in which Tommy Nelson agrees that from 2008 through 2010, at a time when he served as Mayor of the City of New Roads, a violation of Sections 1111A, 1115 and 1111C(2)(d) of the Code of Governmental Ethics occurred by his agreement to receive and his receipt of cash, tickets and other gifts from CIFER 5000 totaling \$22,000 at a time when CIFER 5000 sought a contract with his agency, the City of New Roads, and in which no civil penalty is to be imposed against Mr. Nelson in consideration of his 11 year prison sentence and the \$22,000 restitution he was ordered to pay following the federal investigation into this matter.

The Board considered a proposed consent opinion in Docket No. 12-1422 regarding the employment of Clint Williams as a nurse with the Villa Feliciana Medical Complex while his mother, Linda Williams, serves as the Director of Nurses. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion in which (1) Linda Williams agrees that a violation of Section 1119A of the Code of Governmental Ethics occurred by virtue of her son's employment as an RN Supervisor at the Villa Feliciana Medical Complex while she served as the Director of Nurses at the Villa Feliciana Medical Complex and in which Ms. Williams agrees to pay a fine of \$2,000; and, (2) Clint Williams agrees that a violation of Section 1119A of the Code of Governmental Ethics occurred by virtue of his employment as an RN

Supervisor at the Villa Feliciana Medical Complex while his mother served as the Director of Nurses at the Villa Feliciana Medical Complex and in which Mr. Williams agrees to pay a fine of \$1,000.

The Board considered a proposed consent opinion in Docket No. 13-1355 regarding the Assumption Parish Police Jury and/or the Assumption Parish Water Board purchasing vehicles from a dealership where a member of the Police Jury, Jeff Naquin, is employed. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion in which Jeff Naquin, a member of the Assumption Parish Police Jury, agrees that a violation of Section 1111C(2)(d) of the Code of Governmental Ethics occurred by receiving a thing of economic value for services rendered to Terrebonne Ford at a time when Terrebonne Ford had or was seeking a contractual, financial or business relationship with the Assumption Parish Waterworks District No. 1 and in which Mr. Naquin agrees to pay a fine of \$1,000.

The Board considered a request for an advisory opinion in Docket No. 15-205 regarding whether Lynn Kliebert may be promoted from Assistant Chief Financial Officer to Chief Financial Officer with Teche Regional Hospital while his spouse, Kathy Kliebert, is the Secretary of the Department of Health and Hospitals (DHH). On motion made, seconded and unanimously passed, the Board concluded that Mr. Kliebert's employment may be prohibited except for the exception contained in Docket No. 82-02D. Four factors must be met: (1) the employee must be a salaried or wage-earning employee; (2) the employee's salary must remain substantially unaffected by the contractual relationship; (3) the public servant must own less than a "controlling interest" in the company; and (4) the public servant must be neither an officer, director, trustee, nor partner in the company. As Assistant CFO, the factors appeared to be met. However, once promoted to CFO, Mr.

Kliebert becomes an officer of the entity and the narrow exception will no longer be applicable. Further, with the duties and responsibilities assigned to the CFO, he would be entering into transactions with DHH in derogation of R.S. 42:1113A of the Code of Governmental Ethics. Mr. Kliebert's employment as Assistant CFO appears to meet the exception and is not prohibited as long as he has no contact with DHH; however, he is prohibited from serving as CFO while his wife is the Secretary of DHH.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board unanimously agreed to take action on the requests for "good cause" waivers of late fees assessed against candidates included 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 No. 15-235, taking the following action:

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 15-206 for a waiver of the two (2) \$1,000 late fees assessed against Kent Mayeux, a candidate for Justice of the Peace, East Baton Rouge Parish in the November 4, 2014 election, for failing to file his 30-P and 10-P campaign finance disclosure reports. On motion made, seconded and unanimously passed, the Board rescinded the late fees totaling \$2,000, since Mr. Mayeux was not required to file the 30-P or 10-P reports because he did not spend over \$2,500 or collect contributions in excess of \$200 from a single source during the reporting periods for the 30-P and 10-P reports.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board

considered a request in Docket No. 15-241 for a waiver of the \$1,000 late fee assessed against Terance Irvin, a candidate for Gonzales City Council, Division D, Ascension Parish in the November 6, 2012 election, for failing to accurately file his 2013 Supplemental campaign finance disclosure report. On motion made, seconded and unanimously passed, the Board rescinded the \$1,000 late fee, since a letter was sent to Mr. Irvin requesting that he amend his 2013 Supplemental campaign finance disclosure report to disclose complete addresses by February 13, 2015. Mr. Irvin did file the requested amendment on February 13, 2015. Mr. Irvin was assessed the late fee due to an oversight by staff.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 15-235 for a waiver of the \$400 late fee assessed against Christopher Daigle, a candidate for Iberville Parish School Board, District G in the November 4, 2014 election, for filing his 10-G campaign finance disclosure report 21 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$400 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 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. 14-221, 14-1464 and 15-191, 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 unanimously declined to waive the late fees assessed against the following:

Docket No. 14-1248 from Mary Neiheisel of a \$1,500 late fee;
Docket No. 15-117 from Robert Roussel of a \$1,500 late fee;
Docket No. 15-119 from Vergil Sandifer of a \$1,500 late fee;
Docket No. 15-188 from Chris Sandlin of a \$1,500 late fee;
Docket No. 15-189 from Debra Hamilton of a \$1,500 late fee;
Docket No. 15-192 from Jason Chisolm of a \$50 late fee; and,
Docket No. 15-198 from Theresa Simon of a \$1,500 late fee.

The Board considered a request in Docket No. 15-120 for a waiver of the \$1,500 late fee assessed against Kermie Valentine, a former member of the Sabine River Authority, for failing to file a 2012 Tier 2.1 Annual personal financial disclosure statement. On motion made, seconded and unanimously passed, the Board waived the \$1,500 late fee, since Mr. Valentine was not required to file.

The Board considered a request in Docket No. 15-187 for a waiver of the \$1,500 late fee assessed against Lloyd J. Kirtland, a former member of the Grant Parish Police Jury, for filing his 2012 Tier 3 Annual personal financial disclosure statement 265 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. 15-195 for a waiver of the \$1,500 late fee assessed against Chuck Kinney, a former member of the West Calcasieu Parish Community Center, for filing his 2012 Tier 2.1 Annual personal financial disclosure statement 326 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 and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

The Board considered a request in Docket No. 15-197 for a waiver of the \$1,500 late fee assessed against Michael R. McCartney, LaSalle Soil and Water Conservation District, for filing his 2013 Tier 2.1 Annual personal financial disclosure statement 32 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 and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

The Board considered a request in Docket No. 14-221 for a waiver of the \$400 and \$700 late fees assessed against Rita Benson LeBlanc, a member of the New Orleans Business Alliance, for filing her 2011 Tier 2.1 Annual personal financial disclosure statement 8 days late and her 2012 Tier 2.1 Annual personal financial disclosure statement 14 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$400 late fee with respect to 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 and declined to waive the \$700 late fee with respect to the 2012 Tier 2.1 Annual personal financial disclosure statement but suspended \$450 conditioned upon future compliance with the Code of Governmental Ethics and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

The Board considered a request in Docket No. 14-1464 for a waiver of the \$1,500 late fee assessed against Gerri Hobdy, a member of the Louisiana Arts Council, for filing her amended 2012 Tier 2.1 Annual personal financial disclosure statement 189 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. Board Member Shelton recused herself.

The Board considered a request in Docket No. 15-191 for a waiver of the \$1,500 late fee assessed against Charles Wesley Allen, a member of the Cheneyville Board of Aldermen, Rapides Parish, for filing his 2013 Tier 3 Annual personal financial disclosure statement 80 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee.

The Board unanimously agreed to take action on the items contained in the April, 2015 School Board 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 April, 2015 School Board Disclosure Waiver Chart 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 unanimously declined to waive the late fees assessed against the following:

Docket No. 15-079 from David Barton of a \$550 late fee;
Docket No. 15-085 from Calvin Hymel of a \$700 late fee; and,
Docket No. 15-118 from Russell Danzy of a \$600 late fee.

The Board considered a request in Docket No. 15-084 for a waiver of the \$700 late fee assessed against Willie Creel, a member of the Bogalusa City School System, for filing his 2014-2015 School Board Disclosure Statement 14 days late. On motion made, seconded and unanimously passed, the Board waived \$400 of the late fee.

The Board considered a request in Docket No. 15-186 for a waiver of the \$1,500 late fee

assessed against James Martin, a member of the Sabine Parish School Board, for filing his 2014-2015 School Board Disclosure Statement 157 days late. On motion made, seconded and unanimously passed, the Board waived \$750 of the late fee.

The Board unanimously agreed to take action on waiver request reconsiderations 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 waiver request reconsiderations taking the following action:

The Board considered a request for reconsideration in Docket No. 14-915 for a waiver of the \$1,500 late fee assessed against Allen Square, Jr., a member of the Pride College Prep Charter School Board, for filing his 2012 Tier 3 Annual personal financial disclosure statement 44 days late. On motion made, seconded and unanimously passed, the Board affirmed its decision to decline to waive the late fee.

The Board considered a request for reconsideration in Docket No. 14-1136 for a waiver of the \$1,500 late fee assessed against Tonia Dunn, a former member of the East Baton Rouge Parish Housing Authority, for filing her 2012 Tier 2.1 Annual personal financial disclosure statement 88 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 and instructed the staff to offer Ms. Dunn the option of a payment plan.

The Board considered a request for reconsideration in Docket No. 14-1255 for a waiver of the \$1,500 late fee assessed against Regina Bracy, a member of the Strawberry Marketing Board, for filing her 2011 Tier 2.1 Annual personal financial disclosure statement 335 days late. On motion made, seconded and unanimously passed, the Board affirmed its decision to decline to waive the

late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request for reconsideration in Docket No. 14-1450 for a waiver of the \$420 late fee assessed against Dan McKay, a candidate for City Judge, City Court, City of Bunkie, Avoyelles Parish in the November 4, 2014 election, for filing his 10-P campaign finance disclosure report 7 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$420 late fee but suspended the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act.

The Board considered a request for reconsideration in Docket No. 14-1483 for a waiver of the \$1,500 late fee assessed against Walter Roberts, a member of the Lisbon Board of Aldermen, Claiborne Parish, for filing his 2012 Tier 3 Annual personal financial disclosure statement 323 days late. On motion made, seconded and unanimously passed, the Board affirmed its decision to decline to waive the late fee.

The Board considered a request for reconsideration in Docket No. 14-1487 for a waiver of the \$2,300 late fee assessed against William Underwood, III, a Constable for Terrebonne Parish, for filing his 2013 Tier 2 Annual personal financial disclosure statement 23 days late. On motion made, seconded and unanimously passed, the Board affirmed its decision to decline to waive the late fee.

The Board considered charges issued in Docket No. 13-1789 against Galen Schum, brother-in-law of Kathy Kliebert, the Secretary of the Department of Health and Hospitals (DHH), for failing to disclose income received from Magellan at a time when Magellan had a contractual relationship with DHH. On motion made, seconded and unanimously passed, the Board dismissed the charges.

The Board considered proposed legislation for the 2015 Regular Legislative Session which will affect the laws administered by 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 a review and discussion of the proposed legislation chart, the Board took the following action:

- HB242 - Support
- HB246 - No position
- HB 296 - Support
- HB 626 - No position
- SCR 20 - Support; the Board and staff will discuss this matter further at the May meeting
- SCR 86 - Oppose
- SB 87 - Oppose as written
- SB 131 - Oppose
- HB 169 - No position

The Board unanimously adjourned at 11:34 a.m.

Acting Secretary

APPROVED:

Chairman