

LOUISIANA BOARD OF ETHICS
MINUTES
October 18, 2013

The Board of Ethics met on October 18, 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, Lemke, McAnelly, Monroe and Shelton present. Absent were Board Members Leggio, Schneider and Stafford. Also present were the Ethics Administrator, Kathleen Allen; the Executive Secretary, Deborah Grier; and Counsel Tracy Barker, Aneatra Boykin, Mike Dupree, Jennifer Land and Suzanne Mooney.

Chairman Monroe announced that the Board would briefly resolve into executive session to take action on matters that were deferred from the meeting on Thursday, October 17th.

The Board unanimously resolved into executive session to consider complaints and reports deemed confidential pursuant to Section 1141 of the Code of Governmental Ethics.

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EXECUTIVE BUSINESS

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The Board unanimously resolved into general business session.

The Board considered a request in Docket No. 12-407 for a waiver of the \$2,500 late fee assessed 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 continued the matter to the November meeting.

The Board considered a request in Docket No. 12-1868 for a waiver of the \$2,500 late fee

assessed against Representative Wesley Bishop for filing his 2009 Tier 2 candidate personal financial disclosure statement 97 days late. On motion made, seconded and unanimously passed, the Board temporarily deferred the matter to later in the meeting.

Mr. Michael A. Ragusa, a candidate for Mayor of the Town of Independence in the March 24, 2012 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request for reconsideration in Docket No. 13-312 for a waiver of the \$400 and \$400 late fees assessed against him for filing his EDE-P and EDE-G campaign finance disclosure reports 294 and 279 days late. After hearing from Mr. Ragusa, on motion made, seconded and unanimously passed, the Board declined to waive the late fees totaling \$800.

Mr. Edward Robinson, Sr., a member of the New Orleans City Planning Commission, appeared before the Board in connection with a request in Docket No. 13-969 for a wavier of the \$1,500 late fee assessed against him for filing his 2010 Tier 2.1 annual personal financial disclosure statement 399 days late. After hearing from Mr. Robinson, on motion made, seconded and passed by a vote of 5 yeas by Board Members Blewer, Bruneau, Ingrassia, Monroe and Shelton and 3nays by Board Members Backhaus, Lemke and McAnelly, 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.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 13-1128 for a waiver of the \$2,000 late fee assessed against LA Restaurant Association Hospitality PAC in the April 6, 2013 election, for filing the 10-G campaign finance disclosure report 26 days late. On motion made, seconded and unanimously passed, the

Board continued the matter to the November meeting.

Mr. Jonathan Villien, attorney for Lafayette Parish School Board Member Mark Cockerham, appeared before the Board in connection with a request in Docket No. 13-1149 for a waiver of the two \$2,500 late fees assessed against Mr. Cockerham for filing his 2009 Tier 2 candidate personal financial disclosure statement 826 days late and for filing his amended 2010 Tier 2 annual personal financial disclosure statement 198 days late. After hearing from Mr. Villien, on motion made, seconded and unanimously passed, the Board waived the late fees totaling \$5,000.

Mr. Nickie Monica, a former member of the House of Representatives, appeared before the Board in connection with a request in Docket No. 13-1265 for a waiver of the \$2,500 late fee assessed against him for filing his 2011 Tier 2 annual personal financial disclosure statement 212 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$2,500 late fee but suspended the entire late fee conditioned upon future compliance with the Code of Governmental Ethics.

Mr. Kenneth Paillet, Treasurer of Vision PAC, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 13-1127 for a waiver of the \$800 late fee assessed against VISION PAC in the September 20, 2012 election, for filing the Monthly campaign finance disclosure report 4 days late. After hearing from Mr. Paillet, on motion made, seconded and passed by a vote of 5 yeas by Board Members Bruneau, Ingrassia, Lemke, McAnelly and Shelton and 3 nays by Board Members Backhaus, Blewer and Monroe, the Board declined to waive the \$800 late fee but suspended the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act.

Mr. Eugene J. Green Jr. a candidate for Orleans Parish Councilman at Large in the February

1, 2014 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 13-1350 for a waiver of the \$1,400 late fee assessed against him for filing his 180-P campaign finance disclosure report 14 days late. After hearing from Mr. Green, on motion made, seconded and unanimously passed, the Board declined to waive the \$1,400 late fee but suspended \$1,150 conditioned upon future compliance with the Campaign Finance Disclosure Act.

The Board considered a request in Docket No. 12-1868 for a waiver of the \$2,500 late fee assessed against Representative Wesley Bishop for filing his 2009 Tier 2 candidate personal financial disclosure statement 97 days late. On motion made, seconded and unanimously passed, the Board continued the matter to the November meeting.

Tracy Barker, staff attorney, was designated by Chairman Monroe to draft the declaratory opinion in Docket No. 13-1037.

Mr. Gray Sexton and Ms. Alesia Ardoin, attorneys for Mr. Steven C. Wilson; Mr. Greg Johnson, on behalf of Gulf Coast GTL, LLC; and, Mr. Dwight Poirrier, on behalf of the Pontchartrain Levee District, appeared before the Board in connection with a request for a declaratory opinion in Docket No. 13-1037. The parties agreed that the only question to be considered was whether Gulf Coast GTL's submission of requests for Letters of No Objection to the Pontchartrain Levee District and the CPRA Board at a time when Steven C. Wilson serves on both of these boards and is employed with Motiva would constitute a violation of the Code of Governmental Ethics. Following the introduction and admission of Joint Stipulations as Exhibit 1 and after hearing from Mr. Sexton, Ms. Ardoin, Mr. Johnson and Mr. Poirrier, on motion made, seconded and unanimously passed, the Board concluded that no violation of Sections 1111C(2)(d),

1112 and 1113 of the Code of Governmental Ethics is presented by Gulf Coast GTL's submission of requests for Letters of No Objection to the Pontchartrain Levee District and the CPRA Board at a time when Steven C. Wilson serves on both of these boards and is employed with Motiva.

Ms. Julia George Moore, General Counsel for the Department of Culture, Recreation and Tourism (DCRT), appeared before the Board in connection with a request for reconsideration of an advisory opinion in Docket No. 12-1782 regarding whether members of the Louisiana Seafood Promotion and Marketing Board (LSPMB) may participate in a LSPMB trade show booth and whether it is a conflict of interest if LSPMB Board members inadvertently received a benefit from Distributor Promotions and Incentive Programs conducted by the Seafood Marketing Campaign Team. After hearing from Ms. Moore, on motion made, seconded and unanimously passed, the Board concluded that no violation of Section 1111C(2)(d) of the Code of Governmental Ethics is presented by a member of the LSPMB providing compensated services to Giant Eagle when Giant Eagle has a financial relationship with the DCRT, since the agency of the LSPMB is limited to the board itself and does not include the DCRT or the Office of the Lieutenant Governor, which is the agency entering into any marketing contracts with Giant Eagle.

Board Member McAnelly was excused from the meeting.

The Board recessed at 10:10 a.m. and resumed back into general business session at 10:25 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 G9-G37 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 G9-G37, excluding items G17, G26, G30 and G35, taking the following action:

Adopted for publication, a consent opinion in Docket No. 11-1875 in which B&B Enterprises of Franklinton, LLC, a company in which James H. Bickham owned a controlling interest, agrees that a violation of Section 1111C(2)(d) of the Code of Governmental Ethics occurred by the company providing compensated services to Barriere Construction, Inc. while Barriere Construction, Inc. had a business relationship with the Department of Transportation and Development-District 62 and while James Bickham was employed with the Department of Transportation and Development-District 62 and in which B&B Enterprises of Franklinton, LLC agrees to pay a fine of \$5,000.

Adopted for publication, a consent opinion in Docket No. 12-1178 in which Harry Morel, Jr., agrees that a violation of Section 1111A(1) of the Code of Governmental Ethics occurred by virtue of his receipt of \$1,000 from his employees while still serving as the District Attorney of the 29th Judicial District in appreciation for his service as District Attorney and in which Mr. Morel agrees to pay a fine of \$1,000.

Adopted an advisory opinion in Docket No. 13-1051 concluding that the members of the Louisiana Rehabilitation Council (LRC) are not required to file annual personal financial disclosure statements pursuant to La. R.S. 42:1124.2.1, since the LRC does not have the authority to expend, disburse, or invest \$10,000 or more in funds in a fiscal year.

Declined to render an advisory opinion in Docket No. 13-1212 regarding the budget process in the Town of Ferriday, since the questions presented do not present any issues under the

jurisdiction of the Code of Governmental Ethics.

Adopted an advisory opinion in Docket No. 13-1213 concluding that no violation of the Code of Governmental Ethics is presented by the Iberville Parish Council contracting with Clear Choice Broadband, LLC, a company partially owned by the wife of Iberville Parish Council employee Troy Tempanaro, to provide direct internet service, since Mr. Tempanaro's agency is the Iberville Parish's Building Maintenance Department.

Adopted an advisory opinion in Docket No. 13-1214 concluding that no violation of the Code of Governmental Ethics is presented by Cherl Domingue, a former office manager for the Department of Public and Safety, opening a public tag agency, since Ms. Domingue will not be assisting another person in a transaction with her former agency or entering into a transaction with her former agency within the two year period.

Allowed the withdrawal of the request for an advisory opinion in Docket No. 13-1215 regarding the Vermilion Parish Library hiring the daughter of a library board member as the Children's Librarian, since the board member's daughter has withdrawn her application for employment.

Adopted an advisory opinion in Docket No. 13-1218 concluding that no violation of the Code of Governmental Ethics is presented by Kyle Wedberg, a member of the New Orleans City Planning Commission (CPC), engaging the services of an architect or other person who has a contractual, financial or business relationship with the New Orleans CPC while he serves as a member of the CPC, as long as Mr. Wedberg is not receiving the services for free or at a discount that is not available to everyone else. The Board further advised that the architect or any other person engaged by Mr. Wedberg to perform services on his personal residence is prohibited from

entering into any transactions under the supervision or jurisdiction of the CPC involving Mr. Wedberg's personal residence. Further, Mr. Wedberg is only required to recuse himself from transactions involving the CPC in which he has a personal substantial economic interest.

Adopted an advisory opinion in Docket No. 13-1228 concluding that no violation of the Code of Governmental Ethics is presented by Dr. Dana Clawson, Dean of the College of Nursing at Northwestern State University, contracting with Dr. Todd Thoma, Caddo Parish Coroner, to host a series of workshops while his sister, Dr. Teresa Kevil, is member of the faculty under the BSN Program, since Dr. Kevil's agency is the BSN Program rather than the entire College of Nursing.

Adopted an advisory opinion in Docket No. 13-1229 concluding that no violation of the Code of Governmental Ethics is presented by Patty Matlock applying for a secretarial position with the Board of Commissioners for Northeast Bossier Fire Protection District No 5 while her husband, Ronald S. Matlock, serves the district as Fire Chief, since Mrs. Matlock would be working for the Board and would not be employed by her husband's agency.

Adopted an advisory opinion in Docket No. 13-1232 concluding that Section 1119B(2)(a)(I) prohibits the daughter of John Watson, Superintendent of Livingston Parish School Board, serving as a day-to-day substitute teacher, since Mr. Watson's daughter is not certified to teach.

Adopted an advisory opinion in Docket No. 13-1241 concluding that no violation of the Code of Code of Governmental Ethics is presented by Eileen Fourroux, a retired employee of the Department of Children and Family Services (DCFS), accepting a job as an administrative assistant to the Executive Director with the Pelican Center for Children and Families (Pelican Center), since Ms. Fourroux will not be assisting Pelican Center in transactions in which she participated during her employment with DCFS. The Board further declined to render an advisory opinion regarding

any previous business conducted between Ms. Fourroux and Pelican Center as it involves past conduct.

Adopted an advisory opinion in Docket No. 13-1243 concluding that no violation of the Code of Governmental Ethics is presented by the Lake Charles Police Officers Association leasing a shooting range to the City of Lake Charles, since the Lake Charles Police Officers Association, not individual police officers, will be entering into a lease agreement with the City of Lake Charles.

Adopted an advisory opinion in Docket No. 13-1256 concluding that no violation of the Code of Governmental Ethics is presented by Brian L. Young, Sr., a former employee with the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP), being employed as a Closeout Specialist with GCR, Inc., since Mr. Young will not be providing the same services under contract to GOHSEP and neither he nor GCR, Inc. will be assisting another person for compensation in transactions in which he participated while employed by GOHSEP.

Approved the disqualification plan in Docket No. 13-1312 submitted by Bossier Parish School Board with respect to Kyle Machen, Principal of Benton Middle School, and his father, D.C. Machen, who serves as the Bossier Parish School System Superintendent.

Adopted an advisory opinion in Docket No. 13-1314 concluding that no violation of the Code of Governmental Ethics is presented by Elise Hester Reed, an employee of the Ruston Behavioral Health Unit, becoming a Substance Abuse Professional (SAP) and providing assessment for a non-profit clinic, provided there is no referral activity between the non-profit and the Ruston Behavioral Health Unit.

Adopted an advisory opinion in Docket No. 13-1317 concluding that Section 1121A(2) of

the Code of Governmental Ethics prohibits Joseph DeVillier, a former member of the Acadiana Area Human Services District (AAHSD), from being employed at the Joseph Tyler Mental Health Center, since the Joseph Tyler Mental Health Center is under the supervision of the AAHSD and as such, Mr. Devillier, as a former member of the AAHSD Board, is prohibited from accepting a position at Tyler Mental Health Center within the two year period following his April 2013 termination from the Board.

Adopted an advisory opinion in Docket No. 13-1319 concluding that no violation of the Code of Governmental Ethics is presented by a company, Cool It, LLC, owned by the wife of Brian Chatfield, the former facilities manager for Wilson's Charter School, entering into a contract with the Broadmoor Charter School Board, since Mr. Chatfield's agency as an employee was the Wilson Charter School and Mr. Chatfield was responsible for the maintenance of the school. The Board further advised that Section 1121 of the Code of Governmental Ethics will prohibit Mr. Chatfield from performing services for the Charter School within a two year period after Mr. Chatfield terminated his employment.

Adopted an advisory opinion in Docket No. 13-1322 concluding that Section 1113B of the Code of Governmental Ethics prohibits a company, Lake City Trucking, owned by James G. Gobert, a member of the Chennault International Airpark Authority Board, from subcontracting with an entity performing work at the Chennault International Airpark, since Mr. Gobert's agency exercises supervision or jurisdiction over the Chennault International Airpark.

Adopted an advisory opinion in Docket No. 13-1324 concluding that no violation of the Code of Governmental Ethics is presented by Joshua McNemar, a former employee of the Governors Office of Homeland Security and Emergency Preparedness (GOHSEP), being employed

for GCR, Incorporated and working on Close Out-Public Assistant Grants, since Mr. McNemar will not be representing a person nor contracting with GOHSEP to provide any service that he provided to GOHSEP. The Board further advised that Mr. McNemar should not participate in any way on any project that he had worked on while employed at GOHSEP.

Adopted an advisory opinion in Docket No. 13-1325 concluding that no violation of the Code of Governmental Ethics is presented by Shirley McCoy, a Library Specialist Supervisor for the State Library, setting up a table at the Louisiana Book Festival, since Ms. McCoy will be purchasing the table from the Louisiana Library Foundation, a company not within her agency.

Adopted an advisory opinion in Docket No. 13-1326 concluding that no violation of the Code of Governmental Ethics is presented by Mack Dellafosse, a member of the Calcasieu Parish School Board, participating in fundraising activities for his son's youth sports team in general. The Board further advised that Section 1115A(1) of the Code of Governmental Ethics would prohibit Mr. Dellafosse from personally soliciting contributions from any person that has or is seeking to have a contractual, financial, or business relationship with the school board.

Adopted an advisory opinion in Docket No. 13-1327 concluding that no violation of the Code of Governmental Ethics is presented by Peter Allain, an employee of the Department of Transportation and Development (DOTD), submitting a bid with the Department of Transportation and Development, Office of Intermodal Planning, Highway Safety Section, prior to his retirement from the DOTD, Traffic Engineering Division, since the contract will not be under the supervision or jurisdiction of his agency, the Traffic Engineering Division. The Board further advised that Mr. Allain is not prohibited from contracting with the Department of Transportation and Development, Office of Intermodal Planning, Highway Safety Section, to perform professional engineering

services on the Local Road Safety Program within two years of his retirement from the DOTD, Traffic Engineering Division, since he will not be contracting back with his former agency, the Traffic Engineering Division.

Adopted an advisory opinion in Docket No. 13-1335 concluding that no violation of the Code of Governmental Ethics is presented by a company, Grass Hopper Lawn Care of Alexandria, LLC, owned by William Mattox, an employee of the Louisiana State University at Alexandria (LSUA) Police Department, bidding on or entering into a contract with (LSUA) and other state agencies, since Mr. Mattox's agency is the LSUA Police Department.

Adopted an advisory opinion in Docket No. 13-1336 concluding that no violation of the Code of Governmental Ethics is presented by Thomas D. Davenport, Jr., a former member of the Rapides Parish Civil Service Board, representing Susan Wayne before the Rapides Civil Service Board and receiving any compensation for services provided after October 14, 2013, since Mr. Davenport's public service was terminated over two years ago.

Adopted an advisory opinion in Docket No. 13-1225 concluding that no violation of the Code of Governmental Ethics is presented by Caddo Parish rehiring Charles Grubb, the former Parish Attorney, on a part-time basis within two years of the termination of his service, since Mr. Grubb will not be performing his services on a contractual basis. Board Member Blewer recused herself.

By a vote of 4 yeas by Board Members Backhaus, Blewer, Ingrassia and Monroe and 3 nays by Board Members Bruneau, Lemke and Shelton, adopted an advisory opinion in Docket No. 13-1316 concluding that Section 1113 of the Code of Governmental Ethics prohibits Lisa Stewart St. Pierre, the wife of Walker High School Principal Jason St. Pierre, from continuing to drive

extracurricular bus routes for Walker High School, since as principal, Walker High School is Mr. St. Pierre's agency.

Declined to render an advisory opinion in Docket No. 13-1323 regarding the propriety of Pointe Coupee Parish school system employees receiving things of economic value from various individuals. The Board instructed the staff to send Superintendent Linda D'Amico a copy of the Board's advisory opinion in Docket No. 12-1940 as guidance with respect to the issues in question.

Adopted an advisory opinion in Docket No. 13-1328 concluding that no violation of the Code of Governmental Ethics is presented by Jacquelyn Brechtel Clarkson, a member of the New Orleans City Council, serving as Honorary Consul of Lithuania for Louisiana at a time when she serves as a Councilman for the City of New Orleans. The Board further advised that dual office holding is a matter that is not under the jurisdiction of the Board of Ethics and that Ms. Clarkson may want to contact the Attorney General's office regarding the dual office holding issue.

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

Mr. Steven Loeb, General Counsel for the American Council of Engineering Companies of Louisiana; Mr. Chris Knotts, on behalf of Louisiana Engineering Society; and, Mr. Scott Frazier, attorney for the Louisiana Associated General Contractors, Inc. (LAGC), appeared before the Board in connection with a request for an advisory opinion in Docket No. 13-905 regarding the applicability of various ethics laws to architects and engineers. After hearing from Mr. Loeb, Mr. Knotts and Mr. Frazier, on motion made, seconded and unanimously passed, the request for the advisory opinion was withdrawn and the parties agreed to re-submit the request with specific situations.

The Board considered a request for reconsideration in Docket No. 12-418 for a waiver of the

\$1,500 late fee assessed against Darrel Rivere for filing his 2009 Tier 2.1 personal financial disclosure statement 90 days late. On motion made, seconded and unanimously passed, the Board continued the matter to the November meeting.

The Board considered a request for an advisory opinion in Docket No. 13-1233 regarding Brett Falterman, a newly hired employee of the Fisheries Management Section of the Office of Fisheries for the Louisiana Department of Wildlife and Fisheries (LDWF), maintaining outside employment while employed with the LDWF. On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by Mr. Falterman continuing to operate his deep fishing business or alligator hunting at a time when he is also employed with the LDWF, Office of Fisheries department, since licenses for both the operation of the charter boat for deep sea fishing and alligator hunting are both handled in the Office of Management and Finance. As such neither activity is devoted to the operation or programs of Mr. Falterman's agency, the Office of Fisheries.

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

In connection with an Answer submitted in Docket No. 13-897 on behalf of Oscar Nelson a former member of the Workforce Investment Board #83 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. Nelson 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.

On motion made, seconded and unanimously passed, the Board agreed to take action on

items G39-G41 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 G39-G41 taking the following action:

In connection with an Answer submitted in Docket No. 13-1064 on behalf of Wali Abdel-Raouf, a member of the Audubon 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. Wali Abdel-Raouf he is required to file a Tier 2.1 annual personal financial disclosure statement for 2011, since his appointment on the Commission was until 2016 and he appears to have held office during 2011, therefore he is required to file his 2011 Tier 2.1 annual personal financial disclosure statement which was due May 15, 2012.

In connection with an untimely Answer submitted in Docket No. 13-1071 on behalf of Johnny Jeanise, a former member of the Houma Terrebonne Housing Authority, in response to a notice of delinquency received requesting he file his 2011 Tier 2.1 annual personal financial disclosure statement, instructed the staff to advise Mr. Jeanise that he is not required to file his final report due to his medical condition.

In connection with an Answer submitted in Docket No. 13-1291 on behalf of Daniel Stanford, a former member of the Webster Parish School Board, 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. Stanford that he is not required to file a 2011 Tier 3 annual personal financial disclosure statement, since Mr. Stanford's term of office ended on December 31, 2010. According to the Webster Parish School Board minutes for its first meeting in 2011 held on January 18, 2011, Mr. Stanford's successor Brandon Edens was present and recognized as the sitting school

board member. Mr. Stanford did not attend that meeting nor the meeting in December 2010.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the September 19-20, 2013 meetings.

The Board considered the proposed 2014 calendar for meetings of the Louisiana Board of Ethics. On motion made, seconded and unanimously passed, the Board approved the proposed 2014 meeting schedule.

The Board considered a request for reconsideration in Docket No. 12-995 for a waiver of the \$600 late fee assessed against Tina Pohlmeier, a former member of the Workforce Investment Board, for filing her 2010 Tier 2.1 annual personal financial disclosure statement 12 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$600 late fee but suspended the entire late fee conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request for reconsideration in Docket No. 12-1120 for a waiver of the \$1,500 late fee assessed against Gerard Frey, a member of the Acadia Soil & Water Conservation District, for filing his 2009 Tier 2.1 annual personal financial disclosure statement 364 days late. On motion made, seconded and unanimously passed, the Board deferred the matter to the November meeting.

The Board considered a request in Docket No. 12-1804 for a waiver of the \$1,500 late fee assessed William Bagley, a candidate for the Desoto Parish Police Jury, District 1A, in the November 6, 2012 election, for filing his 2011 Tier 3 candidate personal financial disclosure statement untimely. On motion made, seconded and unanimously passed, the Board authorized the

staff to file a motion to vacate the Ethics Adjudicatory Board order and not to assess a late fee.

The Board considered a request for reconsideration in Docket No. 12-2092 for a waiver of two \$1,400 late fees assessed against Beverly Huey, a member of the New Orleans Council on Aging, for filing her 2009 and 2010 Tier 2.1 annual personal financial disclosure statements 28 days late. On motion made, seconded and unanimously passed, the Board affirmed the waiver of the first \$1,400 late fee and declined to waive the second \$1,400 late fee but suspended the entire late fee conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request for reconsideration in Docket No. 13-091 for a waiver of the \$1,500 late fee assessed against Bryan Wooley, a former member of the Shreveport City Council, for filing his amended 2010 Tier 2 annual personal financial disclosure statement 15 days late. On motion made, seconded and unanimously passed, the Board waived the \$1,500 late fee.

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 and an untimely waiver request regarding a \$1,500 late fee assessed against Mr. Jackson for filing his 2010 Tier 3 candidate personal financial disclosure statement 224 days late. On motion made, seconded and unanimously passed, the Board deferred the matter to the November meeting.

The Board considered an untimely request in Docket No. 13-886 for a waiver of the \$1,600 late fee assessed against Claude "Jay" Guidry, a member of the St. Landry Parish Council, for filing his 2009 Tier 2 annual personal financial disclosure statement 16 days late and a \$1,600 late fee assessed for filing his 2010 Tier 2 annual personal financial disclosure statement 16 days late. On motion made, seconded and unanimously passed, the Board deferred the matter to the November

meeting.

The Board considered a request for an advisory opinion in Docket No. 13-936 regarding Liskow & Lewis, PLC providing advice to clients regarding legislation through a separate company, now that a member of the Louisiana Legislature is a partner in Liskow & Lewis. On motion made, seconded and unanimously passed, the Board deferred the matter to the November meeting to obtain additional information. The Board further instructed the staff to extend an invitation for an appearance to be made at the November meeting.

The Board considered an untimely request in Docket No. 13-961 for a waiver of the \$1,500 late fee assessed against Larry O. Powell, II, a member of the Tullos Board of Aldermen, filing his 2010 Tier 3 annual personal financial disclosure statement 296 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 for an advisory opinion in Docket No. 13-1242 regarding whether Terence Pecot, a substitute teacher for the Iberia Parish School District, may sell t-shirts and other promotional items to schools and students in Iberia Parish. On motion made, seconded and passed by a vote of 6 yeas by Board Members Backhaus, Blewer, Ingrassia, Lemke, Monroe and Shelton and 1 nay by Board Member Bruneau, the Board concluded that Section 1113 of the Code of Governmental Ethics prohibits Mr. Pecot from selling promotional items to those schools during the time period in which he is serving the particular school, since Mr. Pecot's agency is the school in which he is employed for a particular time period.

The Board considered an untimely request in Docket No. 13-1261 for a waiver of the \$150 late fee assessed against Charles Labbe, a member of the Human Service District, for filing his 2011

Tier 2.1 annual personal financial disclosure statement 3 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$150 late fee but suspended the entire late fee conditioned upon future compliance with the Code of Governmental Ethics.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, on motion made, seconded and unanimously passed, the Board agreed to take action on the items contained in the Campaign Finance Waiver Chart en globo subject to any items being removed from the en globo listing for further discussion. On motion made, seconded and unanimously passed, the Board adopted the staff recommendations on the items in the Campaign Finance Waiver Chart, excluding Docket Nos. 13-1127, 13-1330 and 13-1350, taking the following action:

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. 13-1126 from Lourdes Moran of a \$2,000 late fee and \$900 late fee; and, Docket No. 13-1329 from Natalie Robin of a \$400 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 13-1220 for a waiver of the \$1,260 late fee assessed against Marlon J. Horton, a candidate for Orleans Parish Council, District B in the November 6, 2012 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 \$1,260 late fee but suspended \$1,060 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. 13-1330 for a waiver of the \$1,000 late fee assessed against Greg

Gaubert, a candidate for Public Service Commission, District 2, in the November 6, 2012 election, for filing his EDE-P campaign finance disclosure report 10 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,000 late fee but suspended \$750 conditioned upon future compliance with the Campaign Finance Disclosure Act.

On motion made, seconded and unanimously passed, the Board agreed to take action on the items contained in the Lobbying 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 Lobbying Waiver Chart, excluding Docket Nos. 13-1357, 13-1359, 13-1360, 13-1397 and 13-1398, taking the following action:

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

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

Docket No. 13-1361 from Mark Drennen of a \$1,500 late fee; and,
Docket No. 13-1399 from Paulette Wilson of a \$1,500 late fee.

The Board considered a request in Docket No. 13-1356 for a waiver of the \$450 late fee assessed against Brent Boyd for his failure to timely file a lobbyist Supplemental Registration. On motion made, seconded and unanimously passed, the Board waived the late fee.

The Board considered a request in Docket No. 13-1357 for a waiver of the \$1,500 late fee assessed against Dannie Garrett, III for his failure to timely file a Lobbyist Supplemental Registration. 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 Lobbyist Disclosure Act.

The Board considered a request in Docket No. 13-1359 for a waiver of the \$1,500 late fee assessed against Joshua G. Borill for his failure to timely file a Lobbyist Supplemental Registration. 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 Lobbyist Disclosure Act.

The Board considered a request in Docket No. 13-1360 for a waiver of the \$1,500 late fee assessed against Michael Michot for his failure to timely file a Lobbyist Supplemental Registration. 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 Lobbyist Disclosure Act.

The Board considered a request in Docket No. 13-1397 for a waiver of the \$1,500 late fee assessed against Nicholas Cahanin for his failure to timely file a Lobbyist Supplemental Registration. 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 Lobbyist Disclosure Act.

The Board considered a request in Docket No. 13-1398 for a waiver of the \$1,500 late fee assessed against Tyron Picard for his failure to timely file a Lobbyist Supplemental Registration. 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 Lobbyist 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. 13-909, 13-971, 13-1191, 13-1193, 13-1194, 13-1197, 13-1200, 13-1201,

13-1263 and 13-1268, 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. 13-968 from Brandon Shelvin of a \$2,500 late fee;
Docket No. 13-975 from Raymond Calep of a \$1,500 late fee;
Docket No. 13-1192 from Mariah Underwood of a \$1,500 late fee;
Docket No. 13-1196 from Judy Madison of a \$1,500 late fee; and,
Docket No. 13-1198 from Ray Mills of a \$700 late fee.

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

Docket No. 13-962 from Thadeus Pellegrin, Jr. of a \$1,500 late fee;
Docket No. 13-1139 from Robert Lancaster of a \$50 late fee;
Docket No. 13-1190 from Oakland Adams, Jr. of a \$1,500 late fee;
Docket No. 13-1202 from John Courtney of a \$1,500 late fee;
Docket No. 13-1203 from John Lamarque, Jr. of a \$2,500 late fee; and,
Docket No. 13-1266 from Laura Brackin of a \$1,500 late fee.

The Board considered a request in Docket No. 13-945 for a waiver of the \$1,500 late fee assessed against Brenda Nevels, a candidate for Mayor of the Village of Tangipahoa in the November 6, 2012 election, for filing her 2011 Tier 3 candidate personal financial disclosure statement 126 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee but suspended \$1,000 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 13-964 for a waiver of the \$1,500 late fee assessed against Keitha Donnelly, a member of the Beauregard Parish Tourist Commission, for filing her 2010 Tier 2.1 annual personal financial disclosure statement 318 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. 13-975 for a waiver of the \$1,500 late fee assessed against Raymond Calep, a member of the Village of Lucky Board of Aldermen, for filing his 2009 Tier 3 annual personal financial disclosure statement 368 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. 13-1169 for a waiver of the \$400 late fee assessed against Hester Cottles, a member of the Treme Charter School, for filing her 2011 Tier 3 annual personal financial disclosure statement 8 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 Code of Governmental Ethics.

The Board considered a request in Docket No. 13-1262 for a waiver of the \$1,500 late fee assessed against Kimberly Kennedy, a member of the Varnado Board of Aldermen, for filing her 2009 Tier 3 annual personal financial disclosure statement 345 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. 13-1272 for a waiver of the \$850 late fee assessed against Anthony Boudreaux, a member of the Lafayette Parish Waterworks District North, for filing his 2011 Tier 2.1 annual personal financial disclosure statement 17 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$850 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. 13-1195 for a waiver of the \$1,150 late fee assessed against Richard D'Aquin, Sr., a former member of the Louisiana Board of Regents, for filing his 2011 Tier 2.1 annual personal financial disclosure statement 23 days late. On motion made, seconded and unanimously passed, the Board rescinded the \$1,150 late fee.

The Board considered a request in Docket No. 13-909 for a waiver of the \$350 late fee assessed against Daniel Songy, a member of the Southeast Regional Airport Authority, for filing his 2011 Tier 2.1 annual personal financial disclosure statement 7 days late. On motion made, seconded and unanimously passed the Board declined to waive the \$350 late fee but suspended \$250 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 13-971 for a waiver of the \$1,500 late fee assessed against Brenda Smith, a member of the North Caddo Medical Center Board of Trustees, for filing her 2010 Tier 2.1 annual personal financial disclosure statement 385 days late. On motion made, seconded and unanimously passed the Board declined to waive the \$1,500 late fee. Board Member Blewer recused herself.

The Board considered a request in Docket No. 13-1191 for a waiver of the \$1,500 late fee assessed against Floyd Terrell, Sabine Parish constable, for filing his 2010 Tier 3 annual personal financial disclosure statement 287 days late. On motion made, seconded and unanimously passed, the Board deferred the matter to the November meeting.

The Board considered a request in Docket No. 13-1193 for a waiver of the \$350 late fee assessed James Starr, a member of the Citizen's Insurance Board, for filing his 2011 Tier 2.1 annual personal financial disclosure statement 7 days late. On motion made, seconded and unanimously passed the Board declined to waive the \$350 late fee but suspended \$250 conditioned upon future

compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 13-1194 for a waiver of the \$1,500 late fee assessed against Walter Guillory, member of the Louisiana Housing Finance Authority, for filing his 2010 Tier 2.1 annual personal financial disclosure statement 379 days late. On motion made, seconded and unanimously passed, the Board deferred the matter to the November meeting.

The Board considered a request in Docket No. 13-1197 for a waiver of the \$250 late fee assessed against Gayla Guidry, a member of the Louisiana Rehabilitation Council, for filing her 2011 Tier 2.1 annual personal financial disclosure statement 5 days late. On motion made, seconded and unanimously passed, the Board deferred the matter to the November meeting.

The Board considered a request in Docket No. 13-1200 for a waiver of the \$450 late fee assessed against Timothy Palmatier, member of the Louisiana School Employees' Retirement System, for filing his 2011 Tier 2.1 annual personal financial disclosure statement 9 days late. On motion made, seconded and unanimously passed the Board declined to waive the \$450 late fee but suspended \$350 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 13-1201 for a waiver of the \$2,500 late fee assessed against Marlin Gusman, Orleans Parish Sheriff, for filing his amended 2010 Tier 2 annual personal financial disclosure statement 183 days late. On motion made, seconded and unanimously passed, the Board deferred the matter to the November meeting.

The Board considered a request in Docket No. 13-1263 for a waiver of the \$1,500 late fee assessed against James Daigle, a member of the Village of Cankton Board of Aldermen, for filing his 2011 Tier 3 annual personal financial disclosure statement 8 days late. On motion made, seconded and unanimously passed the Board declined to waive the \$1,500 late fee but suspended

\$1,400 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 13-1268 for a waiver of the \$150 late fee assessed against Mildred Ferguson, a member of the Bernice Board of Aldermen, for filing her 2011 Tier 3 annual personal financial disclosure statement 3 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$150 late fee but suspended the entire late fee conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 13-1271 for a waiver of the \$2,000 late fee assessed against Nettie Burchfield, Controller for Southeastern Louisiana University, for filing her 2012 R.S. 42:1114 disclosure statement 20 days late. On motion made, seconded and unanimously passed, the Board waived the \$2,000 late fee, since it was Ms. Burchfield's first late filing.

The Board unanimously adjourned at 12:14 p.m.

Secretary

APPROVED:

Chairman

