

# **Louisiana Board of Ethics**

LaSalle Building
First Floor - LaBelle Room
AUGUST 21, 2015
10:00 AM
617 North 3rd Street
Baton Rouge, Louisiana

Note: The Board will resolve into Executive session following the Appearances and completion of the General Business session.

#### **Executive Session**

Consideration of complaints and reports deemed confidential pursuant to Section 1141 of the Code of Governmental Ethics.

Discussion in executive session of litigation involving Troy Henry.

<u>Discussion in Executive Session of the charges issued in Ethics Board Docket No. 2011-837 against</u> Michael Reasons and Scott Berthelot.

Discussion in Executive Session of litigation involving Benetech, LLC.

Discussion in executive session of litigation involving George L. Grace, Sr.

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#### **GENERAL**

# **Appearances**

## **G1.** Docket No. 15-117

Reconsideration of the Board's denial of a waiver request submitted by Robert L. Roussel, Port of South Louisiana Commission, regarding a \$1,500 late fee assessed for filing his 2012 Annual 2.1 PFD 176 days late.

# **G2.** Docket No. 15-347

Reconsideration of the Board's denial of a waiver request submitted by George Mack, Jr., a candidate for the Lincoln Parish School Board in the November 4, 2014 election, regarding a \$450 late fee assessed for filing his 2013 Tier 3 Candidate PFD 9 days late.

### **G3.** Docket No. 15-612

Advisory opinion request regarding whether Christina Mehal can enter into a professional services contract with the Imperial Calcasieu Human Services Authority.

#### **G4.** Docket No. 15-651

Appearance in connection with a request that the board waive the \$480 campaign finance late fee assessed against James Michael "Mike" Johnson, a candidate for State Representative, District 8, in the February 21, 2015 election, whose 30-P report was filed 8 days late.

#### **G5.** Docket No. 15-756

Appearance in connection with a request that the board waive the following campaign finance late fees assessed against Justin Reeves, a candidate for Lasalle Parish School Board, District 7, in the November 4, 2014 election: \$1,000 for the 30-P report that was filed 66 days late, \$400 for the 10-P report that was filed 45 days late, \$400 for the EDE-P report that was filed 27 days late, and \$400 for the 10-G report that was filed 15 days late.

# **Consent Agenda and Consent Opinions**

### **G6.** Docket No. CHART

Chart for Advisory Opinion Requests on the General Consent August 2015 Agenda.

#### **G7.** Docket No. 15-165

Reconsideration request in connection with an advisory opinion rendered regarding whether a pharmacy owned by a board member of the East Union Parish Hospital Service District can participate in the 340B Drug Discount Program.

## **G8.** Docket No. 15-362

Advisory opinion request regarding whether Dr. Mohit Srivastava, through Bunkie Dialysis, LLC, may purchase a building and lot from the Hospital Service District No. 1 of Avoyelles Parish (Bunkie General Hospital) while he is Chief of Staff for Bunkie General Hospital.

#### **G9.** Docket No. 15-422

Consideration of a disqualification plan regarding John W. Cox supervising Geokinetics, Inc.'s seismic monitoring in Louisiana while his wife, Davie Cox, is employed as a Seismic Technician for the Louisiana Department of Wildlife and Fisheries.

## **G10.** Docket No. 15-505

Advisory opinion regarding whether Dr. Sharon Pugh, a former member of the Central Louisiana Human Services District, may contract with the Central Louisiana Human Services District to provide services at Caring Choices, an out-patient mental health center, owned and operated by the Central Louisiana Human Services District.

# G11. <u>Docket No. 15-508</u>

Advisory opinion request regarding whether Louis Cannon, a former member of the Louisiana Commission for the Deaf, can participate in the Commission's iPad Program.

# **G12.** Docket No. 15-606

An advisory opinion request regarding whether the Code of Governmental Ethics would prohibit COMPASS Group USA, Inc. (COMPASS), from serving PJ's Coffee on the Louisiana State University (LSU) campus while Scott Ballard serves as a member of the LSU Board of Supervisors.

## **G13.** Docket No. 15-610

Advisory opinion request regarding whether Takena Santos may lead classes as a yoga instructor on behalf of Trinity Christian Community for the New Orleans Recreation Development Commission (NORDC).

# **G14.** Docket No. 15-628

Advisory opinion request regarding whether Jeffery Lee, as the sole owner of French Quarter IT, LLC, may provide software development services for a "Training Treatment Database" to LSU Athletics.

#### **G15.** Docket No. 15-631

Advisory opinion regarding whether the members of the Blind Vendors Trust Fund Board are required to file annual personal financial disclosure statements pursuant to La. R.S. 42:1124.2.1.

# G16. Docket No. 15-634

Advisory opinion request regarding whether James Ray, Sr., may be a party to a contract in which he has oversight over potential grievances by employees of the American Federation of State, County, Municipal Employees Union (AFSCME) while receiving the same benefits as the field staff employees of AFSCME.

# **G17.** Docket No. 15-637

Advisory opinion request regarding whether Lee Picard, Jr., can provide architectural and

engineering services to St. Martin Parish and the St. Martin Parish School Board through his company, Architectural & Engineering Consultants, Inc., if he is elected to the Louisiana House of Representatives.

#### **G18.** Docket No. 15-678

Advisory opinion request regarding whether George Wallace, an employee of the Louisiana Tax Commission, is prohibited from contracting with his former employer, the Louisiana Department of Transportation and Development (DOTD), to provide right-of-way appraisal services.

# G19. Docket No. 15-682

Advisory opinion request as to whether Robbie Siadek, Alderman for the Town of Jonesboro, may provide compensated services to the Housing Authority of the Town of Jonesboro.

#### G20. Docket No. 15-687

Advisory opinion request as to whether Danny Bell, recently retired Superintendent of Lincoln Parish Schools, may be employed as Director of Educational Services and Principal of the Lorraine Howard Educational Center.

#### **G21.** Docket No. 15-693

Advisory opinion request regarding whether Joseph Hicks, a Department of Health and Hospitals (DHH) employee, is prohibited from seeking outside employment as an adjunct professor at the Louisiana State University Health Science Center and/or conducting consulting work for his company, MED+WorksBR Consulting.

# G22. Docket No. 15-695

Advisory opinion request regarding whether Therese Richard may work under the supervision of her cousin, Janice Breaux, at the Office of Motor Vehicles.

## G23. Docket No. 15-698

Advisory opinion request regarding whether there is a conflict of interest in St. Mary School Board Superintendent Leonard Armato's brother, John Armato, having an ownership interest in Darnall, Sikes, Gardes, & Frederick (Sikes), which audits the School Board and whether Barrett Perry, who is the son of Alton Perry, the CFO of the School Board, has a conflict of interest as an employee of Sikes.

# G24. Docket No. 15-714

Advisory opinion request regarding whether Sheilia Terrell may trade services with Diamond B, while being employed by the Gang 500 of the Louisiana Department of Transportation and Development (DOTD) in Alexandria.

## G25. <u>Docket No. 15-715</u>

Advisory opinion request regarding whether Liz Webb Hebert may serve as an elected Lafayette City Parish Councilman while employed by the Canjundome Commission.

# **G26.** Docket No. 15-720

Advisory opinion request regarding the propriety of the 21st Judicial District Court, which includes the parishes of Livingston, Tangipahoa, and St. Helena, contracting with Feliciana J & B Industries, LLC, to screen participants in its drug court program.

## **G27.** Docket No. 15-722

Advisory opinion regarding whether Tena Drost, the accounts payable clerk for the City of Sulphur, may accept a part-time job with Workforce Medical Center, which has a contract with the City of Sulphur.

#### G28. Docket No. 15-725

Advisory opinion request regarding whether Laurie Burleigh, a St. Tammany Parish teacher, is prohibited from providing compensated counseling services to students in St. Tammany Parish.

#### G29. Docket No. 15-727

Advisory opinion regarding whether John Wintz, a former employee of the Materials and Testing Section as an Engineer 7 with the Department of Transportation and Development (DOTD), may accept employment with Michael Baker International, which has been hired by DOTD to develop a database.

# G30. Docket No. 15-728

Advisory opinion request regarding whether Hollins Trahan, Sr., can serve as a reserve officer with the Morse Police Department, in Acadia Parish, while he is a licensed bail bond agent.

# **G31.** Docket No. 15-731

Advisory opinion request regarding post-employment restrictions that would apply to John Egan

Jones, Executive Director of Central LA Human Services District, after his retirement.

### G32. Docket No. 15-732

Advisory opinion regarding whether Lindora Baker, member of the Caddo Parish Commission, may accept employment with a medical clinic owned by the Biomedical Research Foundation if she resigns from the Caddo Parish Commission.

### G33. Docket No. 15-733

Advisory opinion request regarding whether the post employment restrictions prohibit Village of Atlanta Alderman Randall Hayes from accepting a position as the Editor of The Winn Parish Enterprise.

## **Disclosure Reports**

#### **G34.** Docket No. 15-492

Answer submitted by Chauna Banks, a member of the East Baton Rouge Parish Metro Council, in lieu of amending her personal financial disclosures statement in response to a notice of delinquency.

#### G35. Docket No. 15-672

Notice of the disclosure reports filed with the Board during May 2015.

## **Regular Business**

# G36. Docket No. MINUTES

July 2015 Board Minutes

# **G37.** Docket No. 13-180

Consent opinion regarding the employment of the daughter-in-law of the former Sheriff for Concordia Parish, Randy Maxwell, with the Sheriff's Department.

## G38. <u>Docket No. 15-692</u>

Advisory opinion request regarding the propriety of using campaign funds to purchase a foot operated scooter to assist with neighborhood canvassing and a computer with Microsoft Office software for campaign use.

# G39. Docket No. 15-729

Advisory opinion request regarding whether the post employment restrictions prohibit Kelly Parrish, a former court reporter for the 15th JDC, from preparing official transcripts for compensation within two years of her termination of public service. The 15th JDC serves Lafayette, Vermilion and Acadia Parishes.

# G40. Docket No. 15-730

Advisory opinion regarding whether Ron Duplessis, a member of the Louisiana Used Motor Vehicle Commission, may file a complaint with the Commission as long as he recuses himself from participating in the consideration of the complaint by the Commission.

# **G41.** WAIVER REQUESTS - CAMPAIGN FINANCE

## Docket No. chart

August 2015 Campaign Finance Waiver Chart.

### Docket No. 14-1431

Request that the board waive the \$600 campaign finance late fee assessed against Redell Comeaux Miller, a candidate for School Board, Lafayette Parish in the November 4, 2014 election, whose 10-P report was filed 14 days late. Untimely request to waive the \$440 campaign finance late fee assessed for Ms. Miller's 30-P report that was filed 11 days late.

# Docket No. 15-237

Request that the board waive the \$400 campaign finance late fee assessed against Beryl Adams Amedee, a candidate for Terrebonne Parish Council, District 4, in the October 22, 2011 election, whose 2014 Supplemental report was filed 10 days late.

## Docket No. 15-385

Request that the Board waive the following campaign finance late fees assessed against Tehmi Chassion, a candidate for School Board Member/District 4, Lafayette Parish in the November 4, 2014 election whose EDE-P report that was filed 3 days late.

#### Docket No. 15-533

Request that the board waive the following campaign finance late fees assessed against Jesse N. Fontenot, a candidate for Calcasieu Parish School Board, District 13, in the November 4, 2014

election: \$280 for the 10-P report that was filed 7 days late and \$400 for the 10-G report that was filed 33 days late.

#### Docket No. 15-640

Request that the board waive the following campaign finance late fees assessed against John Perry Gallow, a candidate for Opelousas Chief of Police in the November 4, 2014 election: \$1,000 for the EDE-P report that was filed 108 days late, \$1,000 for the 10-G report that was filed 96 days late, \$1,000 for the EDE-G report that was filed 76 days late, and the 40-G report that was filed 46 days late.

#### Docket No. 15-641

Request that the board waive the \$1,000 campaign finance late fee assessed against Glenda Gay, a candidate for Calcasieu Parish School Board, District 3, in the November 4, 2014 election, whose EDE-P report was filed 256 days late.

#### Docket No. 15-643

Request that the board waive the \$400 campaign finance late fee assessed against Leroy J. Laiche, Jr., a candidate for Justice of the Peace, 2nd Justice Court, Ascension Parish, in the November 4, 2014 election, whose EDE-P report was filed 108 days late.

#### Docket No. 15-644

Request that the board waive the \$747 campaign finance late fee assessed against Heather M. Cloud, a candidate for Mayor, Village of Turkey Creek, in the February 21, 2015 election, whose 10-G report was filed 54 days late.

## Docket No. 15-648

Request that the board waive the \$300 campaign finance late fee assessed against George Cavignac, a candidate for St. Bernard Parish Council, At-Large District, Western Division, in the October 22, 2011 election, whose 2014 Supplemental report was filed 5 days late.

## Docket No. 15-652

Request that the board waive the \$420 campaign finance late fee assessed against Terry A. Doughty, a candidate for District Court Judge, 5th JDC, in the November 4, 2014 election, whose 2014 Supplemental report was filed 7 days late.

#### Docket No. 15-653

Request that the board waive the \$360 campaign finance late fee assessed against Larry Cochran, Jr., a candidate for St. Charles Parish President, in a future election, whose 2014 Annual report was filed 3 days late.

## Docket No. 15-654

Request that the board waive the \$480 campaign finance late fee assessed against John D. Crigler, a candidate for District Court Judge, 6th JDC, in the November 4, 2014 election, whose 2014 Supplemental report was filed 8 days late.

#### Docket No. 15-706

Request that the board waive the \$700 campaign finance late fee assessed against Page McClendon, a candidate for Judge, Court of Appeal, 1st Circuit, 3rd District, in the November 6, 2012 election, whose 2014 Supplemental report was filed 7 days late.

## Docket No. 15-707

Request that the board waive the \$420 campaign finance late fee assessed against Scott Leehy, a candidate for District Court Judge, 4th JDC, in the September 30, 2006 election, whose 2014 Supplemental report was filed 7 days late.

## Docket No. 15-708

Request that the board waive the \$600 campaign finance late fee assessed against John C. Reeves, a candidate for District Court Judge, 7th JDC, Division A, in the October 5, 2002 election, whose 2014 Supplemental report was filed 13 days late.

#### Docket No. 15-709

Request that the board waive the \$900 campaign finance late fee assessed against Chas Roemer, a candidate for BESE, District 6, in the October 22, 2011 election, whose 2014 Supplemental report was filed 9 days late.

#### Docket No. 15-734

Request that the board waive the \$600 campaign finance late fee assessed against Gideon T. Carter, III, a candidate for District Court Judge, 19th JDC, in the November 4, 2014 election, whose 2014 Supplemental report was filed 13 days late.

#### Docket No. 15-735

Request that the board waive the \$360 campaign finance late fee assessed against Shelton Cobb, a candidate for Lafayette City Council, District 3, in the October 20, 2007 election, whose 2014 Supplemental report was filed 9 days late.

#### Docket No. 15-736

Request that the board waive the \$480 campaign finance late fee assessed against Robert W. Levy, a candidate for District Attorney, 3rd JDC, in the October 4, 2008 election, whose 2014 Supplemental report was filed 8 days late.

#### Docket No. 15-737

Request that the board waive the \$480 campaign finance late fee assessed against Brady O'Callaghan, a candidate for District Court Judge, 1st JDC, in the November 4, 2014 election, whose 2014 Supplemental report was filed 8 days late.

#### Docket No. 15-738

Request that the board waive the \$420 campaign finance late fee assessed against Charles A. Imbornone, a candidate for Judge, 1st City Court, Section A (Orleans Parish) in the September 18, 2004 election, whose 2014 Supplemental report was filed 9 days late.

#### Docket No. 15-740

Request that the board waive the \$1,000 campaign finance late fee assessed against Beryl Billiot, a candidate for Governor in the October 24, 2015 election, whose 180-P report was filed 11 days late.

#### Docket No. 15-741

Request that the board waive the \$360 campaign finance late fee assessed against Janice Jones, a candidate for Justice of the Peace, Ward 1, Caldwell Parish, in the October 23, 1999 election, whose 2014 Supplemental report was filed 9 days late.

## Docket No. 15-742

Request that the board waive the \$420 campaign finance late fee assessed against Lala Brittain Sylvester, a candidate for District Court Judge, 10th JDC, in the November 4, 2014 election, whose 2014 Supplemental report was filed 7 days late.

#### Docket No. 15-743

Request that the board waive the \$240 campaign finance late fee assessed against P. J. Hahn, a candidate for Kenner Chief of Police in the April 1, 2006 election, whose 2014 Supplemental report was filed 30 days late.

## Docket No. 15-745

Request that the board waive the \$480 campaign finance late fee assessed against Sharon Ingram Marchman, a candidate for District Court Judge, 4th JDC, in the November 4, 2014 election, whose 2014 Supplemental report was filed 8 days late.

#### Docket No. 15-748

Request that the board waive the \$200 campaign finance late fee assessed against Donald C. Hodge, Jr., a candidate for Commissioner of Insurance in the October 22, 2011 election, whose 2014 Supplemental report was filed 2 days late.

## Docket No. 15-750

Request that the board waive the \$420 campaign finance late fee assessed against Susan Tingstrom Leonard, a candidate for Justice of the Peace, Ward 4, in the October 4, 2008 election, whose 2014 Supplemental report was filed 9 days late.

## Docket No. 15-751

Request that the board waive the \$420 campaign finance late fee assessed against Tiffany Sanders, a candidate for District Court Judge, 9th JDC, in the November 4, 2014 election, whose 2014 Supplemental report was filed 112 days late.

#### Docket No. 15-752

Request that the board waive the following campaign finance late fees assessed against Tracey Flemings-Davillier: \$100 as a candidate for Municipal Court (Orleans Parish), in the October 20, 2007 election for the 2014 Supplemental report that was filed 1 day late and \$100 as a candidate for Juvenile Court Judge (Orleans Parish), Section E in the February 6, 2010 election for the 2014 Supplemental report that was filed 1 day late.

# Docket No. 15-754

Request that the board waive the \$420 campaign finance late fee assessed against Garrett C. Monti, a candidate for State Senate, District 19 in the October 22, 2011 election, whose 2014

Supplemental report was filed 7 days late.

## Docket No. 15-755

Request that the board waive the \$400 campaign finance late fee assessed against Nolan Marshall, Jr., a candidate for Orleans Parish School Board, District 7, in the November 6, 2012 election, whose 2014 Supplemental report was filed 14 days late.

## Docket No. 15-757

Request that the board waive the \$600 campaign finance late fee assessed against Francis Nezianya, a candidate for Zachary City Council, District 1, in the November 4, 2014 election, whose 2014 Supplemental report was filed 15 days late.

## Docket No. 15-758

Request that the board waive the \$400 campaign finance late fee assessed against Erica Williams, a candidate for Lafayette Parish School Board, District 4, in the November 4, 2014 election, whose EDE-P report was filed 24 days late.

#### Docket No. 15-759

Request that the board waive the \$540 campaign finance late fee assessed against Michael "Mike" Pitman, a candidate for District Court Judge, 1st JDC, Section 3, Division E in the November 4, 2014 election, whose 2014 Supplemental report was filed 46 days late.

## Docket No. 15-760

Request that the board waive the \$320 campaign finance late fee assessed against Lauren Michel, a candidate for Youngsville City Council, Division B in the November 4, 2014 election, whose 10-G campaign finance disclosure report was filed 8 days late.

#### Docket No. 15-761

Request that the board waive the following campaign finance late fees assessed against George Michael "Mike" Canaday, a candidate for District Judge, 14th JDC: \$600 for the 2014 Supplemental report in connection with the October 23, 1999 election that was 16 days late, and \$600 for the 2014 Supplemental report in connection with the October 7, 2000 election that was filed 16 days late.

#### Docket No. 15-762

Request that the board waive the \$420 campaign finance late fee assessed against Barbara Freiberg, a candidate for East Baton Rouge Parish School Board, District 7, in the November 4, 2014 election, whose 2014 Supplemental campaign finance disclosure report was filed 7 days late.

# Docket No. 15-763

Request that the board waive the \$400 campaign finance late fee assessed against Raymond "Bubba" Cole, a candidate for Eunice Chief of Police in the November 4, 2014 election, whose 40-G campaign finance disclosure report was filed 46 days late.

# G42. WAIVER REQUESTS - LOBBYING

# Docket No. CHART

August 2015 Lobbying Waiver Chart.

# Docket No. 15-676

Request that the Board waive the \$1500 late fee assessed against Charles Richard Byars for failure to timely file an Expenditure Report.

# Docket No. 15-677

Request that the Board waive the \$350 late fee assessed against Lobbyist Scott Sternberg for the late filing of an Expenditure Report.

# Docket No. 15-712

Request that the Board waive the \$50 late fee assessed against Lobbyist Claudia Rodas for the late filing of an Expenditure Report.

#### Docket No. 15-767

Request that the Board waive the \$50 fee assessed against Benjamin Billings based on the late filing of the late filing of an Expenditure report.

#### Docket No. 15-768

Request that the Board waive the \$500 late fee assessed against Josh Meikrantz for failure to timely file a Supplemental Lobbying Registration Report.

### Docket No. 15-768

Request that the Board waive the \$500 late fee assessed against Mr. Tracey Cooper for failure to

timely file a Supplemental Lobbying Registration Report.

## Docket No. 15-768

Request that the Board waive the \$500 late fee assessed against Steven Gabor for failure to timely file a Supplemental Lobbying Registration Report.

# G43. WAIVER REQUESTS - PERSONAL FINANCIAL DISCLOSURE

#### Docket No. waiver

August 2015 PFD Waiver Chart

#### Docket No. 15-525

Waiver request submitted by Floyd L. Barber, Clayton Board of Aldermen - Concordia Parish, regarding a \$250 late fee assessed for filing his 2013 Tier 3 Annual PFD 5 days late and a \$200 late fee assessed for filing his Amended 2013 Tier 3 Annual PFD 4 days late.

#### Docket No. 15-656

Waiver request submitted by Johnnie Raymo, Waterproof Board of Aldermen, Tensas Parish, regarding a \$1,500 late fee assessed for filing her Amended 2012 Tier 3 Annual pfd 167 days late.

## Docket No. 15-673

Waiver request submitted by George L. Amedee Sr., a member of the New Orleans City Planning Commission, regarding a \$1,500 late fee assessed for filing his 2013 Tier 2.1 annual pfd 28 days late.

### Docket No. 15-674

Waiver request submitted by Roslyn A. Johnny, a member of the New Orleans Council on Aging, regarding a \$1,500 late fee assessed for filing her Amended 2012 Tier 2.1 annual pfd 331 days late and a \$1,500 late fee assessed for filing her 2013 Tier 2.1 annual pfd 38 days late.

#### Docket No. 15-675

Waiver request submitted by Louis James "L.J." Mayweather, a member of the DeSoto Parish School Board, District 11, regarding a \$1,500 late fee assessed for filing his amended 2012 Tier 3 annual pfd 110 days late.

# G44. WAIVER REQUESTS - UNTIMELY

### Docket No. 14-1114

Untimely waiver request submitted by James Adger, a member of the Caddo Parish Levee District, regarding a \$1,500 late fee assessed for filing his 2012 Tier 2.1 annual pfd 31 days late.

# **G45.** WAIVER REQUESTS - RECONSIDERATIONS

## Docket No. 13-745

Reconsideration request that the Board waive the \$500 late fee assessed against Dino Paternostro for the late filing of a 2013 Legislative Supplemental Registration report.

## Docket No. 14-848

Reconsideration of the Board's denial of a waiver request submitted by Francis Ebarb, the Chief of Police for Noble, Sabine Parish, regarding a \$1,500 late fee assessed for filing his 2012 Tier 3 annual pfd 189 days late.

### Docket No. 14-1246

Reconsideration of a waiver request submitted by Charles Dukes, a member of the Forest Board of Aldermen, West Carroll Parish, regarding a \$1,500 late fee assessed for filing his 2012 Tier 3 annual pfd 190 days late.

### Docket No. 15-189

Reconsideration of the Board's denial of a waiver request submitted by Debra A. Hamilton, former member of the Shreveport - Bossier Tourist Bureau, regarding a \$1,500 late fee assessed for filing her 2012 Tier 2.1 Annual PFD 285 days late.

## Docket No. 15-329

Waiver request submitted by Stephone Taylor, Mayor - Town of Ringgold (Bienville Parish), regarding a \$1,500 late fee assessed for failing to file his 2013 Tier 3 Annual PFD.