



Louisiana Board of Ethics

**LaSalle Building
First Floor - Griffon Room
AUGUST 16, 2012
12:00 PM
617 North 3rd Street
Baton Rouge, Louisiana**

Note: Meetings begin on August 16, 2012 and continue to August 17, 2012.

Executive Session

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

Louisiana Board of Ethics

**LaSalle Building
First Floor - LaBelle Room
AUGUST 17, 2012
9:00 AM
617 North 3rd Street
Baton Rouge, Louisiana**

GENERAL

Appearances

G1. [Docket No. EABSELC](#)

Appearance by Ann Wise, Director of the Division of Administrative Law, to select an alternate administrative law judge to serve on the Ethics Adjudicatory Board.

G2. [Docket No. 12-008](#)

Reconsideration of a waiver request submitted by Chris Ardoin regarding a \$1,500 late fee for filing his 2009 Tier 3 candidate pfd 309 days late.

- G3.** [Docket No. 12-149](#)
Appearance regarding an advisory opinion as to whether Kira-Orange Jones may continue to be the Executive Director for Teach for America-Greater New Orleans while she serves as a member of the BESE Board.
- G4.** [Docket No. 12-358](#)
Appearance in connection with a request for reconsideration of the \$3,000 and \$1,000 campaign finance late fees assessed against Louisiana Orthopaedic PAC, a political action committee, whose 30-P and 10-P campaign finance disclosure reports were filed 26 and 5 days late.
- G5.** [Docket No. 12-721](#)
Appearance in connection with a request that the Board waive the \$3,000 and \$3,000 campaign finance late fees assessed against Baton Rouge Youth Movement, a political action committee, whose Special and 40-G campaign finance disclosure reports were filed 20 and 60 days late.
- G6.** [Docket No. 12-890](#)
Appearance with connection of request for an advisory opinion concerning whether: 1.) the Board of Commissioners for the Bossier Levee District may receive a donation of the right of way/servitude from Palmetto Farms, L.L.C. (Palmetto Farms) when Mr. Dennis Branton (a member of the Bossier Levee Board) is a part owner of Palmetto Farms; 2.) the Levee District may appropriate a temporary right of way/servitude of passage according to La. R.S. 38:301(C)(1) (e); and/or 3.) the necessary borrow material for the project may be acquired from Palmetto Farms while Mr. Branton serves on the Levee District.
- G7.** [Docket No. 12-996](#)
Waiver request submitted by E. R. Giles regarding a \$1,500 late fee assessed for filing his amended 2008 Tier 2.1 annual pfd 883 days late.
- G8.** [Docket No. 12-1043](#)
Declaratory opinion request regarding whether the father of Brett Stassi, sheriff for Iberville Parish, can continue to write bail bonds for persons arrested by the Iberville Parish Sheriff's Office.
- G9.** [Docket No. 12-1357](#)
Request that the Board waive the \$540 campaign finance late fee assessed against Warren L. Montgomery, a candidate for Judge, 22nd JDC, Division C, in the October 4, 2008 election, whose Supplemental campaign finance disclosure report was filed 9 days late.
- G10.** [Docket No. 12-1360](#)
Appearance in connection with a request that the Board waive the \$400 and \$360 campaign finance late fees assessed against Alvin Jackson, a candidate for Mayor in the March 24, 2012 election, whose 10-G and EDE-G campaign finance disclosure reports were filed 29 and 9 days late.

**Consent Agenda, Consent Opinions
&
Items Requiring No Board Action**

- G11.** [Docket No. 10-147](#)
Consent opinion regarding Michael Muscarello, an Independence city councilman, providing services to the town through a subcontract.

- G12.** [Docket No. 10-975](#)
Consent opinion regarding an Alderman for the Town of Independence, Michael Muscarello, soliciting business from a company that has a business relationship with the Town.
- G13.** [Docket No. 11-959](#)
Consent opinion regarding Mark Jeansonne, a successful candidate for District Judge, 12th JDC in the October 4, 2008 election, received contributions in excess of his contribution limits.
- G14.** [Docket No. 12-146](#)
Advisory opinion regarding whether Valerie Harvey may become a contract employee with Northwestern State University (NSU).
- G15.** [Docket No. 12-676](#)
Request to amend advisory opinion issued at the June 2012 meeting regarding the Port Sulphur Ace Hardware, Inc., which is owned by Connie Little, transacting business with a company that has a contract with Ms. Little's agency, the Plaquemines Parish Hospital Service District #1.
- G16.** [Docket No. 12-769](#)
Advisory opinion regarding Daniel Veals providing services to Secure Nation while it has a contract with Louisiana Housing Finance Association (LHFA) and his father, Danny Veals, serves as LHFA's IT Director.
- G17.** [Docket No. 12-902](#)
Advisory opinion request regarding whether Andrew LeBas may provide engineering services to Volkert, Inc. on projects with the Louisiana Department of Transportation and Development (DOTD) at a time when his mother, Sheri LeBas, serves as the Secretary of DOTD.
- G18.** [Docket No. 12-1011](#)
Advisory opinion regarding whether Burl Cain, Warden at the Louisiana State Penitentiary (LSP), may provide consulting services to privately managed prison facilities and transitional work programs.
- G19.** [Docket No. 12-1152](#)
Advisory opinion regarding whether the members of the East New Orleans Neighborhood Advisory Commission are required to file annual personal financial disclosure statements.
- G20.** [Docket No. 12-1153](#)
Advisory opinion request regarding whether the end of a person's public service is the date of his resignation or the date his successor is appointed in connection with such resigning member's filing requirements under Tier 2.1.
- G21.** [Docket No. 12-1175](#)
Advisory opinion regarding whether the Medical Director, Dr. Casey McVea, of the Rayburn Correctional Facility is prohibited from being employed with the entity that may be engaged to manage the prison facility, if state prisons are privatized.
- G22.** [Docket No. 12-1176](#)
Advisory opinion regarding the post employment restrictions on Theresa Williams, an Accountant 4 employed with DNR, after her retirement.

- G23.** [Docket No. 12-1184](#)
Advisory Opinion request regarding the post employment restrictions on Mr. Scott Jenkins, an "accounts payable" accountant for Fletcher Technical Community College (FTCC).
- G24.** [Docket No. 12-1241](#)
Advisory opinion request as to whether, Debby Mayne, an employee of the Paul and Lulu Hilliard University Art Museum at University Louisiana at Lafayette (ULL), may accept two airline tickets won at a luncheon and trade show hosted by the Lafayette Convention and Visitors Commission (LCVC).
- G25.** [Docket No. 12-1252](#)
Consideration of a disqualification plan involving the promotion and supervision of Bridgett Bartlett, assistant principal with the Winn Parish School System, while her father-in-law, Steve Bartlett, serves as the Superintendent of the Winn Parish School System.
- G26.** [Docket No. 12-1254](#)
Advisory opinion regarding whether John Watson may be promoted from Assistant Superintendent of the Livingston Parish School Board to Superintendent while his brother, James Watson, serves as a member of the Livingston Parish School Board.
- G27.** [Docket No. 12-1256](#)
Advisory Opinion regarding the Charles W. Lamar, Jr. YMCA offering free trial membership weeks to state employees.
- G28.** [Docket No. 12-1257](#)
Advisory opinion regarding whether the New Orleans Public Library Executive Assistant to the Library Director, Lawrence Williams, may seek part-time employment with the New Orleans Public Library Foundation.
- G29.** [Docket No. 12-1260](#)
Advisory opinion request regarding whether the provision of insurance services to St. John the Baptist Parish by Riverlands Insurance is prohibited now that its Producer has married the Director of Communications for St. John the Baptist Parish.
- G30.** [Docket No. 12-1376](#)
Advisory opinion regarding whether Lisa Luccous, the editor/publisher of the Caddo Citizen Newspaper, may be employed as the Secretary to the Town of Vivian Chief of Police and Clerk of Court.

Regular Business

- G31.** [Docket No. MINUTES](#)
July 2012 Board Minutes
- G32.** [Docket No. 11-1673](#)
Reconsideration of a waiver request submitted by Warren Founds regarding a \$2,500 late fee assessed for filing his 2008 Tier 2 annual pfd 445 days late.
- G33.** [Docket No. 11-1674](#)
Reconsideration of a waiver request of Warren Founds, Jr. regarding a \$2,500 late fee assessed for his filing of his 2009 Tier 2 annual pfd 445 days late.

- G34.** [Docket No. 12-352](#)
Reconsideration of a request that the Board waive the \$480 campaign finance late fee assessed against Marva A. Lumar, a candidate for St. John the Baptist Clerk of Court, in the October 22, 2011 election, whose EDE-P campaign finance disclosure report was filed 8 days late.
- G35.** [Docket No. 12-355](#)
Reconsideration of a request that the Board waive the \$360 and reassessed \$600 campaign finance late fees assessed against Cynthia N. Robertson, a candidate for State Representative, District 5, in the October 22, 2011 election, whose EDE-P campaign finance disclosure report was filed 6 days late.
- G36.** [Docket No. 12-360](#)
Reconsideration of a request that the Board waive the \$1,600 campaign finance late fee assessed against Health Agents PAC, a political action committee, whose 10-G campaign finance disclosure report was filed 8 days late
- G37.** [Docket No. 12-418](#)
Reconsideration of a waiver request submitted by Darrel Rivere regarding a \$1,500 late fee for filing his 2009 Tier 2.1 pfd 90 days late.
- G38.** [Docket No. 12-419](#)
Reconsideration of a waiver request submitted by Stanley Washington regarding \$1,500 late fee assessed for filing his 2010 Tier 3 annual pfd 62 days late.
- G39.** [Docket No. 12-424](#)
Reconsideration of a waiver request submitted by Ellen Thompson regarding a \$1,500 late fee assessed for filing her 2010 Tier 2.1 annual pfd 46 days late.
- G40.** [Docket No. 12-427](#)
Reconsideration of a waiver request submitted by Ann Breland regarding a \$1,500 late fee assessed for filing her 2009 Tier 3 candidate pfd 405 days late.
- G41.** [Docket No. 12-455](#)
Reconsideration of a waiver request submitted by Keith Howard regarding a \$550 late fee assessed for filing his 2008 Tier 2.1 annual pfd 11 days late
- G42.** [Docket No. 12-496](#)
Reconsideration of a waiver request submitted by Calvin Fayard, III regarding a \$1,500 late fee assessed for filing his 2009 Tier 2.1 annual pfd 289 days late.
- G43.** [Docket No. 12-497](#)
Reconsideration of a waiver request submitted by John Cole regarding a \$1,500 late fee assessed for filing his 2009 Tier 2.1 annual pfd 277 days late.
- G44.** [Docket No. 12-500](#)
Reconsideration of a waiver request submitted by Robert Bruno regarding a \$1,500 assessed for filing his 2010 Tier 2.1 annual pfd 156 days late.
- G45.** [Docket No. 12-503](#)
Reconsideration of a waiver request submitted by Thomas Atkinson, Jr. regarding a \$1,500 late fee assessed for filing his amended 2009 Tier 2.1 pfd 393 days late.
- G46.** [Docket No. 12-507](#)
Reconsideration of a waiver request submitted by Lisa Houston regarding a \$1,500 late fee for filing her 2009 Tier 3 candidate pfd 673 days late.

G47. [Docket No. 12-508](#)

Reconsideration of a waiver request submitted by Arnie Fielkow regarding a \$2,500 late fee assessed for filing his amended 2009 Tier 2 annual pfd 328 days late.

G48. [Docket No. 12-666](#)

Advisory opinion regarding the staff of the private non-profit organization, Acadiana Works, Inc. (AWI), and whether they are classified as "public servants" as defined by the Louisiana Code of Governmental Ethics and thus subject to the training requirement of La. R.S. 42:1170(3).

G49. [Docket No. 12-706](#)

Advisory opinion regarding whether the members of the board and staff of the private non-profit organization, Northeast Louisiana Workforce Centers, Inc. (NLWC), are "public servants" as defined by the Louisiana Code of Governmental Ethics and thus subject to the training requirement of La. R.S. 42:1170(3).

G50. [Docket No. 12-894](#)

Advisory opinion from Chief Carlos Stout of the Carencro Police Department concerning whether a Chief of Police for a municipality can work private security details within his jurisdiction.

G51. [Docket No. 12-895](#)

Advisory opinion regarding whether members of the legislature may purchase movie tax credits under the Louisiana Motion Picture Tax Incentive Act and historic tax credits administered by the Louisiana Division of Historic Preservation.

G52. WAIVER REQUESTS - CAMPAIGN FINANCE

[Docket No. Chart](#)

August 2012 CFDA Waiver Request Chart

[Docket No. 12-759](#)

Request that the Board waive the \$1,980 campaign finance late fee assessed against J. Chandler Loupe, a candidate for East Baton Rouge Parish Metro District Council, District 3 in the October 4, 2008 election, whose Annual campaign finance disclosure report was filed 33 days late.

[Docket No. 12-1130](#)

Request that the Board waive the \$480 campaign finance late fee assessed against Tarvald A. Smith, a candidate for East Baton Rouge Parish School Board, in the October 2, 2010 election, whose Supplemental campaign finance disclosure report was filed 8 days late.

[Docket No. 12-1358](#)

Request that the Board waive the \$1,000 campaign finance late fee assessed against Citizens for BREC, a political action committee whose Annual report was filed 1095 days late.

[Docket No. 12-1359](#)

Request that the Board waive the \$1,000 and \$200 campaign finance late fees assessed against Ray Lauga, Jr., a candidate for St. Bernard Parish Council, District A, in the October 22, 2011 election, whose 10-G and 40-G campaign finance disclosure reports were filed 231 and 5 days late.

[Docket No. 12-1361](#)

Request that the Board waive the \$840, \$840 and \$540 campaign finance late fees assessed against Linda Dyess Stewart, a candidate for Rapides Parish Clerk of Court, in the October 22, 2011 election, whose two (2) Specials and 10-P campaign finance disclosure reports were each filed 14, 14, and 9 days late.

[Docket No. 12-1362](#)

Request that the Board waive the \$1,000 campaign finance late fee assessed against Norbert P. Rome, a candidate for Orleans Councilman-at-Large, in the March 24, 2012 election, whose 10-G campaign finance disclosure report was filed 10 days late.

[Docket No. 12-1365](#)

Request that the Board waive the \$400 campaign finance late fee assessed against Myron Matherne, a candidate for Assumption Parish Police Juror, in the October 22, 2011 election, whose EDE-P campaign finance disclosure report was filed 211 days late.

[Docket No. 12-1366](#)

Request that the Board waive the \$600 and \$600 campaign finance late fees assessed against Kendric Stewart, a candidate for Washington Parish Clerk of Court, in the October 22, 2011 election, whose 30-P and 10-P campaign finance disclosure reports were filed 250 and 230 days late.

[Docket No. 12-1367](#)

Request that the Board waive the \$1,200 campaign finance late fee assessed against Cynthia Willard-Lewis, a candidate for State Senate, 3rd District, in the March 24, 2012 election, whose 10-G campaign finance disclosure report was filed 12 days late.

[Docket No. 12-1368](#)

Request that the Board waive the \$600, \$2,000, and \$2,000 campaign finance late fees assessed against John J. Friedman, a candidate for State Representative, District 105, in the October 22, 2011 election, whose 10-P, EDE-P and 10-G campaign finance disclosure reports were 126, 104, and 98 days late.

[Docket No. 12-1369](#)

Request that the Board waive the \$900 campaign finance late fee assessed against Mitchell Theriot, a candidate for Judge, 1st Circuit Court of Appeal, Sec. 1, Div. B, in the November 6, 2012 election, whose 180-P campaign finance disclosure report was filed 9 days late.

[Docket No. 12-1370](#)

Request that the Board waive the \$600 late fee assessed against Ronald L. Rodgers, Jr., a candidate for State Representative, District 63, in the October 22, 2011 election, whose EDE-P campaign finance disclosure report was filed 234 days late.

[Docket No. 12-1371](#)

Request that the Board waive the \$3,000 campaign finance late fee assessed against Adams and Reese, a political action committee, whose Monthly campaign finance report was filed 76 days late.

[Docket No. 12-1372](#)

Request that the Board waive the \$400 campaign finance late fee assessed

against Traci Ackerman Fletcher, a candidate for St. Charles Parish Council, in the October 22, 2011 election, whose EDE-P campaign finance disclosure report was filed 190 days late.

[Docket No. 12-1373](#)

Request that the Board waive the \$809 campaign finance late fee assessed against Michael A. Ragusa, a candidate for Mayor of the Town of Independence in the March 24, 2012 election, whose 40-G campaign finance disclosure report was filed 11 days late.

[Docket No. 12-1374](#)

Request that the Board waive the \$400 campaign finance late fee assessed against Vanessa Guidry-Whipple, a candidate for 1st Circuit Court of Appeal, 1st District, Div. D, in the November 6, 2012 election, whose 180-P campaign finance disclosure report was filed 4 days late.

G53. WAIVER REQUESTS - PERSONAL FINANCIAL DISCLOSURE

[Docket No. CHART](#)

August 2012 PFD Waiver Request Chart

[Docket No. 12-871](#)

Waiver request submitted by Charles Coleman regarding a \$1,500 late fee assessed for filing his 2010 Tier 3 candidate pfd 62 days late.

[Docket No. 12-872](#)

Waiver request submitted by Jimmie Meadows regarding a \$1,500 late fee assessed for filing his 2010 Tier 3 annual pfd 59 days late.

[Docket No. 12-1165](#)

Waiver request submitted by Henry Maitre, III regarding a \$2,500 late fee assessed for filing his amended 2010 Tier 2 annual pfd 144 days late.



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First Floor - Griffon Room
AUGUST 16, 2012
12:00 PM
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Note: Meetings begin on August 16, 2012 and continue to August 17, 2012.

Louisiana Board of Ethics

**LaSalle Building
First Floor - LaBelle Room
AUGUST 17, 2012
9:00 AM
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GENERAL SUPPLEMENTAL

Appearances

- GS1.** [Docket No. 12-388](#)
Request for Reconsideration of a Declaratory Opinion regarding whether the Sheriff of Ouachita Parish, Royce Toney, may use his campaign funds to pay for legal fees incurred for representation of a criminal matter.
- GS2.** [Docket No. 12-861](#)
Waiver request submitted by Mark Spears, Jr. regarding a \$2,500 late fee assessed for filing his 2010 Tier 2 candidate pfd 126 days late.

**Consent Agenda, Consent Opinions
&
Items Requiring No Board Action**

- GS3.** [Docket No. 11-1935](#)

Advisory opinion regarding whether the Mark DeBord, Regional Administrator for the Region VIII Office of Behavioral Health (Region VIII), may serve on non-profit boards or advisory boards that have contracts with Region VIII.

GS4. [Docket No. 12-664](#)

Advisory opinion regarding whether, Todd Danof, a volunteer firefighter with Lafourche Parish Fire Protection District No. 3 may bid on work with the District.

GS5. [Docket No. 12-875](#)

Advisory opinion concerning whether Chance's Computer may maintain a contract with the City of Walker Police Department when the owner of Chance's Computer has been elected to a position on the Livingston Parish Council.

GS6. [Docket No. 12-893](#)

Advisory opinion regarding whether Recreation District No. One of St. Tammany Parish may enter into a contract with a medical facility in which a board member, Dr. Stephen Meyer, has an ownership interest.

GS7. [Docket No. 12-1253](#)

Advisory opinion regarding whether a former member of the Harahan City Council may be appointed to serve as a member of the Harahan City Planning and Zoning Board and whether a member of the Harahan City Council, Cindy Murray may vote on the salary of her husband, the Assistant Fire Chief, Kevin Murray.

GS8. [Docket No. 12-1255](#)

Advisory opinion regarding whether it is a conflict of interest for a real estate agent to serve on an appointed advisory board, which provides advisory opinions to the Gretna City Council on proposed building and demolition permits in the historic district.

GS9. [Docket No. 12-1258](#)

Advisory opinion concerning whether it is permissible for Mr. John Adger to accept reimbursement for registration, travel, lodging, and meals while serving as a board member or instructor with the National Institute of Governmental Purchasing (NIGP) while employed as the Supervisor of Purchasing with the Bossier Parish School Board.

GS10. [Docket No. 12-1375](#)

Notice of ethics disclosures filed with the Board in June 2012 and July 2012.

GS11. [Docket No. 12-1449](#)

Advisory opinion regarding whether Robert Steeg, a member of the New Orleans City Planning Commission, may provide expert witness services to the State of Louisiana.

GS12. [Docket No. 12-1451](#)

Emergency advisory opinion regarding whether David Knight, a former employee of the Office of Community Development, Disaster Recovery Unit (OCD-DRU) may serve as the Project Manager under an OCD-DRU Request for Proposal for Supplemental Services.

Regular Business

GS13. [Docket No. 12-1458](#)

Advisory opinion regarding whether Joyce Bowman, a Caddo Parish

Commissioner, may receive financial donations from constituents and members of the community to offset costs incurred by Ms. Bowman in her battle with cancer.



Louisiana Board of Ethics

Griffon Room

617 North 3rd Street

Baton Rouge, Louisiana

AUGUST 16, 2012

**4:00 p.m. or upon adjournment of the Executive meeting
CAMPAIGN FINANCE RULES COMMITTEE**

Regular Business

CF1. [Docket No. MINUTES](#)

Minutes from the May 17, 2012 meeting of the Campaign Finance Committee

CF2. [Docket No. CFRULE](#)

Discussion regarding proposing a rule to address the use of campaign funds.