

LOUISIANA BOARD OF ETHICS
MINUTES
January 21, 2011

The Board of Ethics met on January 21, 2011 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 Bareikis, Boyer, Hymel, Ingrassia, Lowrey, Monroe, and Stafford present. Absent were Board Members Bowman, Leggio, Schneider and Simoneaux. Also present were Executive Secretary, Deborah Grier; and Counsel, Alesia Ardoin, Aneatra Boykin, Michael Dupree and Deidra Godfrey.

Vice-chairman Boyer served as Chairman in Mr. Simoneaux's absence.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request for a rehearing in Docket No. 06-290 in connection with an Order for \$2,000 issued against John J. Doyle, III, a candidate for City of Harahan Police Chief in the October 5, 2002 election, for failure to file his Supplemental campaign finance report. On motion made, seconded and unanimously passed, the Board deferred the matter to the March meeting.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request for rehearing in Docket No. 07-237 in connection with an Order for \$2,000 issued against John J. Doyle, III, a candidate for City of Harahan Police Chief in the October 5, 2002 election, for failure to file his Supplemental campaign finance report. On motion made, seconded and unanimously passed, the Board deferred the matter to the March meeting.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request for rehearing in Docket No. 07-922 in connection with an Order for \$2,000 issued against Michael A. Petitto, a candidate for Tangipahoa Parish Councilman, District 3 in the

October 20, 2007 election, for his failure to timely file his EDE-P campaign finance disclosure report. Mr. Petitto was called and appeared before the Board. After hearing from Mr. Petitto, on motion made, seconded and unanimously passed, the Board denied the request for a rehearing.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request for rehearing in Docket No. 08-297 in connection with an Order for \$1,740 issued against Kevin Stafford, a candidate for Natchitoches Parish Sheriff in the October 20, 2007 election, for his failure to timely file his 30-P, 10-P and 10-G campaign finance disclosure reports. Mr. Stafford was called and appeared before the Board. After hearing from Mr. Stafford, on motion made, seconded and passed by a vote of 4 yeas by Board Members Bareikis, Hymel, Ingrassia and Lowrey and 3 nays by Board Members Boyer, Monroe and Stafford, the Board granted the request for a rehearing. After hearing from Mr. Stafford, on motion made, seconded and passed by a vote of 6 yeas by Board Members Bareikis, Boyer, Hymel, Ingrassia, Lowrey and Stafford and 1 nay by Board Member Monroe, the Board imposed the late fees totaling \$1,740 but suspended \$1,240 conditioned upon future compliance with the Campaign Finance Disclosure Act.

Mr. Larry Dale, a member of the Jefferson Parish School Board, and his attorney, Ms. Deborah Villio appeared before the Board in connection with a request for an advisory opinion in Docket No. 10-1101 regarding Mr. Dale serving as the Executive Director of the Louisiana Business Leadership Network (LBLN), which administers the Louisiana Enhanced Employment Project (LEEP), while he also serves as a member of the Jefferson Parish School Board. After hearing from Mr. Dale and Ms. Villio, on motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by Mr. Dale maintaining his current position and administering the Louisiana Enhance Employment Project while he sits on the school

board, since as a member of the school board, Mr. Dale's agency will be the Jefferson Parish School System

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 10-1151 for a waiver of the \$400 late fee assessed against Albert C. "Buddy" Mincey, Jr., a candidate for Livingston Parish School Board, District 5 in the October 2, 2010 election, whose 30-P report was filed 5 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$400 late fee but suspended \$300 based on the level of activity and no prior late filings.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 11-116 for a waiver of the \$480, \$480 and \$280 assessed late fees and the \$400, \$152 and \$1,000 reassessed late fees against Eugene Smith, a candidate for Mayor of the Town of Arcadia in the October 2, 2010 election, whose EDE-P report was filed 7 days late and whose two Special reports were filed 12 days late. On motion made, seconded and unanimously passed, the Board declined to waive the late fees based on the level of activity and prior late filings.

Mr. Charles Thibodeaux, a candidate for City of Breaux Bridge Chief of Police in the October 2, 2010 election, and Mayor Jack Delhomme, City of Breaux Bridge, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance, in connection with a request in Docket No. 11-119 for a waiver of the \$1,000, \$640 and 240 late fees assessed against Mr. Thibodeaux for filing his 30-P report 36 days late, his 10-P report 16 days late and his EDE-P report 6 days late. After hearing from Mr. Thibodeaux and Mayor Delhomme, on motion made, seconded and unanimously passed, the Board reduced the late fees totaling \$1,880 to \$1,000 and suspended the remaining balance conditioned upon future compliance with the Campaign Finance Disclosure

Act.

Mr. Duval H. Arthur, Jr., a candidate for Town of Berwick Councilman in the October 2, 2010 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 11-120 for a waiver of the \$400, \$400 and \$120 late fees assessed against him for filing his 30-P report 33 days late, his 10-P report 13 days late and his Special report 3 days late. After hearing from Mr. Arthur, on motion made, seconded and unanimously passed, the Board declined to waive the late fees totaling \$920 but suspended \$460 conditioned upon future compliance with the Campaign Finance Disclosure Act.

Mr. Roger Boudreaux, a candidate for Mayor of the Town of Church Point in the October 2, 2010 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 11-110 for a waiver of the \$800 late fee and the \$2,300 reassessed late fee assessed against him for filing his 30-P report 20 days late. After hearing from Mr. Boudreaux, on motion made, seconded and unanimously passed, the Board declined to waive the late fees totaling \$3,100 based on the level of activity and prior late filings pursuant to the Board's waiver request guidelines.

Ms. Connie Bernard, a candidate for East Baton Rouge Parish School Board in the October 2, 2010 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 11-124 for a waiver of the \$540 late fee assessed against her for filing her Special report 9 days late. After hearing from Ms. Bernard, on motion made, seconded and passed by a vote of 6 yeas by Board Members Boyer, Hymel, Ingrassia, Lowrey, Monroe and Stafford and 1 nay by Board Member Bareikis, the Board declined to waive the \$540 late fee but suspended \$270 conditioned upon future compliance with the

Campaign Finance Disclosure Act.

Ms. Mary K. Bellisario, a candidate for St. Tammany Parish School Board in the October 2, 2010 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 11-136 for a waiver of the \$440 and \$400 late fees assessed against her for filing her Special report 11 days late and her EDE-P report 10 days late. After hearing from Ms. Bellisario, on motion made, seconded and unanimously passed, the Board declined to waive the \$440 late fee but suspended \$340 based on the level of activity and no prior late filings and declined to waive the \$400 late fee for a total late fee assessment of \$500 and suspended \$250 of the \$500 late fee assessment conditioned upon future compliance with the Campaign Finance Disclosure Act.

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

Adopted for publication, a consent opinion in Docket No.09-684 in which John Lemoine, a member of the Avoyelles Parish School Board, agrees that a violation of Section 1113A of the Code of Governmental Ethics occurred by his entering into a lease agreement with the Avoyelles Parish School Board for the lease of a campsite owned by the school board and in which Mr. Lemoine agrees to terminate any and all lease agreements with the Avoyelles Parish School Board and to pay a fine of \$1,000.

Deferred to the February meeting, adoption of a consent opinion in Docket No. 09-1015 in which Harvey Robinson, a member of the Jackson Parish School Board, agrees that a violation of Section 1112 of the Code of Governmental Ethics occurred by virtue of his participation in the vote against hiring Shirley McConnell as the Federal Program Director when his wife, Bertha Robinson,

was a candidate for the same position and by his participation in the vote to re-tabulate the points used to hire the Federal Programs Director, for which his wife was an applicant and in which Mr. Robinson agrees to pay a fine of \$2,000 of which \$1,000 is to be suspended conditioned upon future compliance with the Code of Governmental Ethics.

Adopted for publication, consent opinions in Docket No. 09-1067 in which (1) Gary Landry, the Vermilion Parish School Board Transportation Shop Foreman, and Roger Lejeune, the Lafayette Parish School Board Transportation Shop Foreman, agree that a violation of Section 1115 of the Code of Governmental Ethics occurred by their receipt of lodging, meals, use of a boat, tackle and bait in connection with fishing trips provided by Ross Bus and Equipment Sales, a company that had an ongoing business relationship with both school boards, and in which Mr. Landry and Mr. Lejeune agree to each pay a fine of \$1,000 with Mr. Landry submitting five (5) monthly payments in the amount of \$200; and (2) Ross Bus and Equipment Sales agrees that a violation of Section 1117 of the Code of Governmental Ethics occurred by its providing Gary Landry, the Vermilion Parish School Board Transportation Shop Foreman, and Roger Lejeune, the Lafayette Parish School Board Transportation Shop Foreman, with lodging, meals, use of a boat, tackle and bait in connection with fishing trips while the company had an ongoing business relationship with both school boards and in which Ross Bus and Equipment Sales agrees to pay a fine of \$1,500.

Absent requested specific information, declined to render an advisory opinion in Docket No. 10-620 regarding nepotism issues within the Catahoula Parish School system.

Adopted an advisory opinion in Docket No. 10-987 concluding that no violation of the Code of Governmental Ethics is presented by Conley Linsbea becoming a full-time bus driver for the Richland Parish School Board while his brother-in-law serves as a recently elected member of the

school board, since Mr. Linsbea has been employed for more than one year prior to his brother-in-law becoming a school board member and the move from part-time bus driver to full-time bus driver appears to be a normal promotional advancement.

Adopted an advisory opinion in Docket No. 10-1001 concluding that a violation of Section 1113A of the Code of Governmental Ethics prohibits Marcia Nelson, a Management Assistant with the City of Shreveport Department of Community Development, from purchasing a home in Concordia Place Subdivision, which is owned by the City of Shreveport through its Department of Community Development, since the Department of Community Development is the seller of the property and the purchase agreement would be under the supervision and jurisdiction of Ms. Nelson's agency.

Adopted an advisory opinion in Docket No. 10-1156 concluding that no violation of the Code of Governmental Ethics is presented by Irma Plummer, the Urban Transportation Coordinator for the City of Baton Rouge's Department of Public Works, purchasing property adjudicated to East Baton Rouge Parish, since the purchase of the adjudicated property would not be under the supervision or jurisdiction of the Transportation Section of the City of Baton Rouge's Department of Public Works.

Adopted an advisory opinion in Docket No. 10-1170 concluding that no violation of the Code of Governmental Ethics is presented by John W. Dussouy, an independent insurance agent who insures the personal property of Mandeville Mayor Donald Villere, participating in the renewal process, individually or through a partnership with another agent, for the City of Mandeville's Workers Compensation Policy, since the council ultimately casts its vote based on recommendations from the City's finance director.

Adopted an advisory opinion in Docket No. 11-001 concluding that no violation of the Code

of Governmental Ethics is presented by the elected officials of the City of Carencro using a float donated by the Carencro Mardi Gras Association in the Carencro Annual Mardi Gras parade, since the chassis of the float will be donated to the City of Carencro for use during the parade and not to the individual city officials.

Adopted an advisory opinion in Docket No. 11-051 concluding that no violation of the Code of Governmental Ethics is presented by Charles “Tony” Rawson, a retired Louisiana State Police Trooper, contracting with the Louisiana State Police to perform services for the Motor Carrier Safety Data Quality Program, since the services to be provided under the proposed contract are not related to Mr. Rawson’s former agency (Troop E) nor are they the same services that he rendered while employed as a state trooper.

Adopted an advisory opinion in Docket No. 11-053 concluding that Section 1113 of the Code of Governmental Ethics prohibits the members of the St. Tammany Parish Fire Protection District 11 Board from appointing the mother of one of the board members to serve as chairman of the board, since the appointment involves an immediate family member and is under the supervision and jurisdiction of the board.

Adopted an advisory opinion in Docket No. 11-055 concluding that no violation of the Code of Governmental Ethics is presented by Dr. Ronald Jackson, the Interim Superintendent of the Baker School System, continuing his service as the registered agent of the Joy Corporation when the Joy Corporation has a memorandum of understanding with the Baker School System, since Dr. Jackson and his spouse will resign from their positions with the corporation and will not receive any further compensation from the corporation. The Board further advised that Section 1113 of the Code of Governmental Ethics will prohibit the renewal of the contract between Dr. Jackson and the school

system to assist with the development and implementation of a strategic plan for the Baker School System.

Adopted an advisory opinion in Docket No. 11-060 concluding that no violation of the Code of Governmental Ethics is presented by the Terrebonne Parish Consolidated Government acquiring property from a company owned by Rene Claudet, the brother of Terrebonne Parish President Michel Claudet, when the District Attorney's Office handles the expropriation process, since the District Attorney's Office is a separate governmental entity from the Terrebonne Parish Consolidated Government.

Adopted an advisory opinion in Docket No. 11-062 concluding that Sections 1111C(1)(a) and 1111C(2)(d) of the Code of Governmental Ethics prohibit Dr. Anthony Jackson, an employee of the Metropolitan Human Service District (MHSD), from entering into a contract to provide services to the Addiction Counseling and Education Resources, LLC (ACER) if ACER enters into a contractual agreement with the MHSD.

Adopted an advisory opinion in Docket No. 11-063 concluding that no violation of the Code of Governmental Ethics is presented by the National EMS Academy (NEMSA) entering into a business relationship with New Orleans Emergency Medical Services, since the Code of Governmental Ethics was enacted for the regulation of officials and employees of Louisiana and its political subdivisions and the business relationship will be between a private company and a governmental entity and does not directly address activities of officials or employees of the state.

Adopted an advisory opinion in Docket No. 11-091 concluding that Sections 1111C(2)(d) and 1117 of the Code of Governmental Ethics will prohibit Industrial-Commercial Motors and Controls, LLC from continuing to provide subcontract work to a company if the owner of the

company is elected to the St. Tammany Parish Council, since the company would be prohibited from providing compensated services to Industrial-Commercial Motors and Controls, LLC while it has a business relationship with the St. Tammany Parish Council.

Adopted an advisory opinion in Docket No. 11-101 concluding that no violation of the Code of Governmental Ethics is presented by a retail store owned by Mayor Mark Piazza, City of Abbeville, selling supplies to the Abbeville Police Department, since the chief of police is an elected position and has control over the department's budget and is considered a separate agency from the City of Abbeville.

Adopted an advisory opinion in Docket No. 11-141 concluding that Section 1115A of the Code of Governmental Ethics prohibits employees of the Lafourche Parish Drug Treatment Court from receiving travel and lodging expenses from a vendor, since there is a contractual and/or business relationship with the vendor and the employees' agency.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the December 16-17, 2010 meetings.

The Board recessed at 10:30 a.m. and resumed back into general business session at 10:44 a.m.

The Board considered a request for an advisory opinion in Docket No. 11-096 regarding Charles Castille, the former Undersecretary of the Department of Health and Hospitals, performing legal services for Louisiana State University (LSU) in matters involving the Medicaid Program through his current position as "Of Counsel" for the Adams & Reese law firm. On motion made, seconded and unanimously passed, the Board concluded that, based on the description of the

proposed contract between Mr. Castille and Adams & Reese which establishes an independent contractor relationship, no violation of the Code of Governmental Ethics is presented by Adams & Reese assisting clients in transactions with the Medicaid Program of DHH because Mr. Castille is not an officer, director, trustee, partner or employee of Adams & Reese and since LSU is not a “person” as defined in Section 1102 of the Code of Governmental Ethics, Mr. Castille is not prohibited from providing legal services to LSU involving the DHH Medicaid Program within the two years subsequent to the termination of his public service.

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 political action committees:

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

Docket No. 10-1111 from John Schwegmann of a \$900 late fee;
Docket No. 11-093 from J. Mike Wilson of a \$280 late fee;
Docket No. 11-107 from Carroll Stelly of an \$800 late fee;
Docket No. 11-108 from Garnell Young of a \$400 late fee;
Docket No. 11-111 from Olivia Moran of a \$660 late fee, a \$540 late fee and a \$240 late fee;
Docket No. 11-112 from International Assn. of Heat & Frost of a \$1,200 late fee;
Docket No. 11-113 from Gilda Johnson of a \$360 late fee;
Docket No. 11-115 from I. Jackson Burson, Jr. of a \$560 late fee, a \$280 late fee, and a \$40 late fee;
Docket No. 11-117 from Roxanne A. Atkinson of a \$400 late fee;
Docket No. 11-118 from LA Oil & Gas PAC of a \$2,000 late fee;
Docket No. 11-122 from Lorraine Wimberly of a \$160 late fee;
Docket No. 11-123 from Sharon Branan of a \$400 late fee;
Docket No. 11-125 from Albert J. Herbert of a \$500 late fee and a \$120 late fee;
Docket No. 11-126 from Parker Ward of a \$600 late fee;
Docket No. 11-127 from Ronald J. Dies of an \$80 late fee;
Docket No. 11-128 from Challana Ray Dean of a \$160 late fee;
Docket No. 11-130 from Deniesee Robertson of an \$800 late fee;
Docket No. 11-131 from Susan Spence of a \$40 late fee, a \$160 late fee and a \$300 reassessed late fee;

Docket No. 11-132 from Caroline Fayard of a \$100 late fee;
Docket No. 11-133 from Caddo Assn. of Educators of a \$3,000 late fee and a \$1,400 late fee;
Docket No. 11-134 from Ellis Alexander, Sr. of a \$320 late fee;
Docket No. 11-135 from Charles Ross of a \$160 late fee;
Docket No. 11-137 from Teddy Drummond of a \$360 late fee;
Docket No. 11-149 from Bruce McCarthy of two \$600 late fees; and,
Docket No. 11-150 from Rickey J. Boudreaux of a \$240 late fee.

Pursuant to Rule 1204C(2), the Board unanimously waived the \$780 late fee in Docket No. 10-1037 assessed against Daniel E. Becnel, Jr., a candidate for Judge, Court of Appeal, 5th Circuit in the October 2, 2010 election, whose EDE-P campaign finance disclosure report was filed 13 days late.

The Board unanimously declined to waive the \$1,080 late fee in Docket No. 10-1093 assessed against Mike Darnell, a candidate for State Senate, District 2 in the October 2, 2010 election, whose 30-P campaign finance disclosure report was filed 18 days late, but reduced the late fee to \$100 since he timely filed the report on paper and filed within 10 days of being notified that the report must be electronically filed.

The Board unanimously declined to waive the \$360 late fee in Docket No. 11-086 assessed against Bettie Simmons, a candidate for Mayor of the Town of Ball in the October 2, 2010 election, whose EDE-P campaign finance disclosure report was filed 2 days late, but suspended \$260 based on the level of activity and no prior late filings.

The Board unanimously declined to waive the \$400 late fee in Docket No. 11-104 assessed against Lori E. Peterson, a candidate for Westlake City Council, Division B in the October 2, 2010 election, whose EDE-P campaign finance disclosure report was filed 10 days late, but suspended \$300 based on the level of activity and no prior late filings.

The Board unanimously declined to waive the \$400 late fee in Docket No. 11-105 assessed

against J. Lynn Lewis, a candidate for Mayor of the Town of Delhi in the October 2, 2010 election, whose EDE-P campaign finance disclosure report was filed 10 days late, but suspended \$300 based on the level of activity and no prior late filings.

The Board unanimously declined to waive the \$280 late fee in Docket No. 11-106 assessed against James R. “Junior” Bergeron, Jr., a candidate for Alderman of the Town of Eunice in the October 2, 2010 election, whose EDE-P campaign finance disclosure report was filed 7 days late, but suspended \$180 based on the level of activity and no prior late filings.

The Board unanimously declined to waive the \$400 and \$360 late fees in Docket No. 11-108 assessed against Garnell Young, a candidate for Alderman of the Town of White Castle in the October 2, 2010 election, whose 10-P campaign finance disclosure report was filed 14 days late and EDE-P campaign finance disclosure report was filed 9 days late, but suspended \$560 of the late fees totaling \$760 based on the level of activity and no prior late filings.

The Board unanimously declined to waive the \$240 late fee in Docket No. 11-109 assessed against Kevin J. Kately, a candidate for Mayor of the Village of Parks in the October 2, 2010 election, whose 10-P campaign finance disclosure report was filed 6 days late, but suspended \$140 based on the level of activity and no prior late filings.

The Board unanimously declined to waive the \$320 and \$360 late fees in Docket No. 11-114 assessed against Barry Bonner, a candidate for Chief of Police of the Town of Sterlington in the October 2, 2010 election, whose 10-P campaign finance disclosure report was filed 8 days late and EDE-P campaign finance disclosure report was filed 9 days late, but suspended \$480 of the late fees totaling \$680 based on the level of activity and no prior late filings.

The Board unanimously declined to waive the \$360 late fee in Docket No. 11-121 assessed

against Tommy Angelle, a candidate for Lafayette Parish School Board in the October 2, 2010 election, whose EDE-P campaign finance disclosure report was filed 9 days late, but suspended \$260 based on the level of activity and no prior late filings.

The Board unanimously declined to waive the \$200 late fee in Docket No. 11-128 assessed against Challana Ray Dean, a candidate for Union Parish School Board in the October 2, 2010 election, whose EDE-P campaign finance disclosure report was filed 5 days late, but suspended \$100 based on the level of activity and no prior late filings.

The Board unanimously declined to waive the \$320 late fee in Docket No. 11-129 assessed against Kenneth Wayne Hall, a candidate for Chief of Police of the Town of Delhi in the October 2, 2010 election, whose EDE-P campaign finance disclosure report was filed 8 days late, but suspended \$220 based on the level of activity and no prior late filings.

The Board unanimously declined to waive the \$280 late fee in Docket No. 11-134 assessed against Ellis A. Alexander, Sr., a candidate for St. Charles Parish School Board in the October 2, 2010 election, whose EDE-P campaign finance disclosure report was filed 7 days late, but suspended \$180 based on the level of activity and no prior late filings.

The Board considered requests for “good cause” waivers of late fees assessed against the following lobbyists:

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

Docket No. 10-1171 from William Sirmon, Legislative Lobbyist, of a \$100 late fee;
Docket No. 10-1172 from James Connick, Legislative Lobbyist, of a \$100 late fee;
Docket No. 11-029 from Scott Whittaker, Legislative Lobbyist, of a \$100 late fee;
Docket No. 11-038 from Diedra Jackson, Executive and Legislative Lobbyist, of a \$150 late fee; and,
Docket No. 11-050 from Dr. Itzel Harriot, Legislative Lobbyist, of a \$50 late fee.

On motion made, seconded and unanimously passed, the Board declined to waive the \$500 late fee in Docket No. 10-216 assessed against Steven Snyder, but suspended the entire late fee pursuant to Rule 1204 D based on the level of activity.

The Board considered requests for “good cause” waivers of late fees assessed against the following individuals required to file personal financial disclosure statements:

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

Docket No. 10-1175 from Freddie Philips, Jr. of a \$1,500 late fee;
Docket No. 10-1180 from Ruth Blanchard of a \$1,500 late fee; and,
Docket No. 11-094 from Bruce McCarthy of a \$1,500 late fee.

The Board unanimously declined to waive the late fees assessed against the following but suspended the late fees conditioned upon future compliance with the Code of Governmental Ethics:

Docket No. 10-1173 from Turner Salsbury of a \$900 late fee;
Docket No. 10-1174 from Earlin Fruge of a \$500 late fee; and,
Docket No. 10-1177 from Deniesee Robertson of a \$1,900 late fee.

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

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a proposed consent opinion in Docket No. 10-223 regarding The Committee to Elect Judge Lauren Lemmon, a candidate for Judge, 29th Judicial District in the October 4, 2008 election, receiving loans in excess of the contribution limits. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion in which The Committee to Elect Judge Lauren Lemmon agrees that a violation of Section 1505.2H of the Campaign Finance Disclosure Act occurred by receiving loans from Harry T. Lemmon, in connection with Judge Lemmon’s October 4, 2008 election, in excess of the contribution limit and in which The Committee to Elect Judge Lauren Lemmon agrees to pay a fine of \$1,000.

The Board considered a request for an advisory opinion in Docket No. 10-909 regarding Dr. Rodney Wise, the Department of Health and Hospitals (DHH) Medicaid Medical Director, providing clinical services to LSU HSC -Shreveport. On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by Dr. Wise providing compensated clinical services to the LSU HSC-Shreveport system, since his provision of clinical services is not under the jurisdiction of his agency, DHH, and he will not be compensated by Medicaid for his services.

The Board considered a request for an advisory opinion in Docket No. 11-066 regarding the Department of Wildlife and Fisheries purchasing advertising space in a magazine published by a company owned by the husband of Ann Taylor, a member of the Louisiana Wildlife and Fisheries Commission. On motion made, seconded and unanimously passed, the Board concluded the Section 1113B of the Code of Governmental Ethics would prohibit the company owned by Ms. Taylor's husband, Louisiana Publishing, Inc., from selling advertising to the Department of Wildlife and Fisheries while Ms. Taylor serves as a member of the commission, since Ms. Taylor and her husband are employees and stockholders of Louisiana Publishing, Inc.

The Board considered a request for an advisory opinion in Docket No. 11-100 regarding Wilton Guidry, Chief of Police for the Town of Grand Coteau, hiring a former alderman, Pamela Barriere, as an administrative assistant in the police department. On motion made, seconded and unanimously passed, the Board concluded the no violation of the Code of Governmental Ethics is presented by Ms. Barriere being employed by the Grand Coteau Police Department, since the police department is a separate agency from her former agency, the Town of Grand Coteau.

The Board considered a request for an advisory opinion in Docket No. 11-138 regarding the

application of post employment restrictions to Ray Dawson, the former Medicaid Deputy Director for the Department of Health and Hospitals, Office of Medicaid Management. On motion made, seconded and unanimously passed, the Board concluded that the Section 1121 of the Code of Governmental Ethics prohibits Mr. Dawson, for a period of two years following his retirement date of February 2010, from (1) assisting another person (his law firm), for compensation, in a transaction, or in an appearance in connection with a transaction, involving the Office of Medicaid Management and its four sections; (2) rendering any service on a contractual basis to or for the Office of Medicaid Management and its four sections; (3) rendering any service to the Office of Medicaid Management and its four sections which he rendered to the Office of Medicaid Management and its four sections during the term of his public employment on a contractual basis, regardless of the parties to the contract, to, for, or on behalf of the Office of Medicaid Management and its four sections, and 4) assisting another person, for compensation, in any transaction or an appearance in connection with a transaction, which involves the Department of Health and Hospitals, in which he participated at any time during his employment as the Deputy Director for the Office of Medicaid Management.

The Board considered a request for an advisory opinion in Docket No. 11-195 regarding Performance Building Consulting, Inc. contracting with a grant recipient when Performance Building Consultants, Inc. helped the Department of Natural Resources develop the plan which included the grant program. On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by Performance Building Consulting, Inc. contracting with a grant recipient when Performance Building Consulting, Inc. helped the Louisiana Department of Natural Resources develop the plan which included the grant program, since it has been more than two years since Performance Building Consulting, Inc. worked on the plan to

administer energy stimulus funds which included the creation of the competitive renewable energy grant program.

The Board considered a request for an advisory opinion in Docket No. 11-122 regarding Lisa Cockerham-Bailey, a former employee of the Capital Area Human Services District (CAHSD), providing services to Cenikor, a contractor of the Department of Health and Hospitals (DHH), Office of Behavioral Health-Addictive Disorders. On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by Ms. Cockerham-Bailey providing services to the DHH, Office of Behavioral Health-Addictive Disorders, through her employer, Cenikor, since Ms. Cockerham-Bailey's former agency is CAHSD which is not a part of the DHH.

The Board considered a request for an advisory opinion in Docket No. 11-223 regarding Michael Duffy, former Assistant Secretary for the Department of Health and Hospitals (DHH), Office of Addictive Disorders, providing compensated services to a contractor, Cenikor, of the Office of Addictive Disorders within two years of the termination of his public service. On motion made, seconded and unanimously passed, the Board concluded that Section 1121A of the Code of Governmental prohibits Mr. Duffy from providing compensated consulting services to Cenikor in connection with the contract between Cenikor and the DHH, Office of Behavioral Health for the two (2) years following the termination of his public service with DHH, Office of Behavioral Health (formerly the Office for Addictive Disorders), since Mr. Duffy was a former agency head of the DHH, Office of Addictive Disorders.

The Board considered a request for an advisory opinion in Docket No. 11-233 regarding William Temple, former Chief Engineer of the Department of Transportation and Development

(DOTD), becoming the Executive Director of the Concrete & Aggregates Association of Louisiana (CAAL). On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by Mr. Temple becoming the Executive Director of CAAL, since Mr. Temple will not be assisting CAAL, for compensation, in transactions that involve the DOTD, nor will he be contracting with the DOTD.

On motion made, seconded and unanimously passed, the Board dismissed the charge in Docket No. 09-379 against Mayor Martha Andrus, City of Grambling, in connection with the termination of Willie Mabry, the City's Accountant/Business Manager, for reporting to the Grambling Police and the Louisiana State Police that funds were missing from the city accounts.

On motion made, seconded and unanimously passed, the Board dismissed the charge in Docket No. 09-380 against Mayor Martha Andrus, City of Grambling, in connection with the employment of her daughter, Deidre Andrus, by the City of Grambling while she served as mayor.

On motion made, seconded and unanimously passed, the Board dismissed the charge in Docket No. 09-463 against Mayor Martha Andrus, City of Grambling, in connection with the termination of Grambling Police Chief Tommy Clark for assisting the Louisiana State Police in an investigation involving missing funds from City Hall.

On motion made, seconded and unanimously passed, the Board dismissed the charge in Docket No. 09-691 against Mayor Martha Andrus, City of Grambling, in connection with the removal of Pam Stringfellow, City Clerk for the City of Grambling, from her office and failing to allow her to perform her official duties in retaliation for Ms. Stringfellow reporting missing funds to the City Council.

The Board unanimously resolved into executive business session.

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EXECUTIVE BUSINESS

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The Board unanimously resolved into general business session and adjourned at 11:12 a.m.

Secretary

APPROVED:

Chairman

