

LOUISIANA BOARD OF ETHICS
MINUTES
July 19, 2019

The Board of Ethics met on July 19, 2019 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 Bruneau, Colomb, Couvillon, Dittmer, Lavastida, Leggio, McAnelly, Meinert and Smith present. Absent were Board Members Grand and Roberts. Also present were the Ethics Administrator, Kathleen Allen; the Executive Secretary, Deborah Grier; and Counsel Tracy Barker, David Bordelon, Matthew DeVille, LaToya Jordan, Jennifer Land and Greg Thibodeaux.

Mr. Robert J. Sanderson, Jr., a person participating in the April 29, 2017 proposition election, and Mr. Ralph R. Alexis, III, counsel for the Third District Volunteer Fire Department, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 18-754 for a waiver of the \$1,000 late fee assessed against Mr. Sanderson for filing the 10-E campaign finance disclosure report 314 days late. After hearing from Mr. Sanderson and Mr. Alexis, on motion made, seconded and unanimously passed, the Board declined to waive the \$1,000 late fee but suspended \$800 of the late fee conditioned upon future compliance with the Campaign Finance Disclosure Act and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

Mr. Jared Bercegeay, a candidate for Ascension Parish School Board- District 6, Seat A, in the November 6, 2018 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 19-193 for a waiver of the \$400 and \$40 late fees assessed against him for filing the Special campaign finance disclosure report and the 10-G campaign finance disclosure report 12 days and 1 day late. After

hearing from Mr. Bercegeay, on motion made, seconded and unanimously passed, the Board waived the entire late fee for both reports.

The Board temporarily deferred consideration of Docket No. 19-569 since Ashton M. Jackson, Campaign Treasurer for Omar Khalid Mason, was not present when called for an appearance.

Mr. Gary M. “Sprout” Spillman, a candidate for State Representative, District 18 in the February 23, 2019 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 19-621 for a waiver of the \$660 late fee assessed against him for filing the Special campaign finance disclosure report 11 days late. After hearing from Mr. Spillman, on motion made, seconded and unanimously passed, the Board declined to waive the \$660 late fee but suspended \$460 of the late fee conditioned upon future compliance with the Campaign Finance Disclosure Act and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

Mr. William Spencer, Jr., a candidate for State Representative, District 18 in the February 23, 2019 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 19-627 for a waiver of the \$2,000 late fee, assessed against him for filing the 30-P campaign finance disclosure report 69 days late. After hearing from Mr. Spencer, on motion made, seconded and unanimously passed, the Board declined to waive the \$2,000 late fee but suspended the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act.

Mr. Adam Hensgens, campaign consultant, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket

No. 19-628 for a waiver of the \$1,200 late fee assessed against Ms. Marion W. Fox, a candidate for State Representative, District 37 in a future election, for filing the 2018 Annual campaign finance disclosure report 20 days late. After hearing from Mr. Hensgens, on motion made, seconded and unanimously passed, the Board declined to waive the \$1,200 late fee but suspended \$1,000 of the late fee conditioned upon future compliance with the Campaign Finance Disclosure Act and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

Mr. Adam Hensgens, campaign consultant, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 19-630 for a waiver of the \$840 late fee assessed against Kevin M. Berken, a candidate for Senate, District 25, Jefferson Davis Parish, in a future election, for filing the 2018 Annual campaign finance disclosure report 14 days late. After hearing from Mr. Hensgens, on motion made, seconded and unanimously passed, the Board declined to waive the \$840 late fee but suspended \$640 of the late fee conditioned upon future compliance with the Campaign Finance Disclosure Act and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

Ms. Mary L. Dumestre, Treasurer for the Committee to Elect Richard Guy Duplantier for Judge, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 19-629 for a waiver of the \$1,000 late fee, assessed against Richard Guy Duplantier, a candidate for Judge, Orleans Parish Civil District Court, Division A, in the March 24, 2018 election, for filing the 2018 Supplemental campaign finance disclosure report 19 days late. After hearing from Ms. Dumestre, on motion made,

seconded and unanimously passed, the Board waived the entire late fee for the 2018 Supplemental campaign finance disclosure report. Board Member Bruneau recused himself.

Ms. Daffaney J. Webster, a registered nurse employed by the Eastern Louisiana Mental Health System within the Department of Health and Hospitals/Office of Behavioral Health and owner of the Reflection of the Green Leaf Project, a 501(c)(3) non-profit corporation, appeared before the Board in connection with a request for an advisory opinion in Docket No. 19-647 regarding Reflection of the Green Leaf Project collaborating with the East Baton Rouge Parish Drug Court as it relates to future grants. After hearing from Ms. Webster, on motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics would not prohibit Reflection of the Green Leaf Project from collaborating with the East Baton Rouge Parish Drug Court related to future grants it may receive, since the grants are not with Ms. Webster's agency, the Community Forensic Services Division. Additionally, Reflection of the Green Leaf Project would not be prohibited from collaborating, applying for, and/or receiving grants through any entity that receives funding from the Office of Behavioral Health, since Ms. Webster's agency is limited to the Community Forensic Services Division.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No.19-569 for a waiver of the \$1,000 and \$700 late fees assessed against Omar Khalid Mason, a candidate for Judge, Orleans Parish Civil District Court, in the October 14, 2017 (Division J) and November 6, 2018 (Division E) elections, for filing the 2018 Supplemental campaign finance disclosure report and the 40-G campaign finance disclosure report 11 and 7 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,000 and \$700 late fees but suspended \$700 and \$400 (totaling \$1,100) of the late fees

conditioned upon future compliance with the Campaign Finance Disclosure Act and provided the payment in full is made within 30 days. If the total payment is not received in 30 days, the full and total amount becomes due and owing. Board Member Bruneau recused himself.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G11-G35 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 G11-G35, excluding Items G15, G17, G24, G25 and G35, taking the following action:

Reaffirmed the prior advisory opinion rendered in Docket No. 18-951 concluding that even though the facts have changed from the original advisory opinion, Section 1111C(1)(a) of the Code of Governmental Ethics prohibits Kevin Kinslow from serving as an officer with the Bayou Vista Volunteer Fire Department (“BVVFD”) and handling emergency calls as a volunteer fireman while he is employed as a maintenance employee with the St. Mary Parish Fire Protection District No. 7, since the duties of the Fire Chief overlap with the duties of the maintenance employees with the St. Mary Parish Fire Protection District No. 7. The Board also concluded that the Code of Governmental Ethics would not prohibit Mr. Kinslow from responding to an emergency call as a volunteer fireman for the BVVFD while he is employed as a compensated maintenance employee with the St. Mary Parish Fire Protection District No. 7, since the duties of a maintenance worker and a volunteer fireman called to run an emergency call for the BVVFD are not the same.

Allowed the withdrawal of the advisory opinion request in Docket No. 19-210 regarding whether the Code of Governmental Ethics would prohibit Ray Williams, the elected police chief for the Village of Pleasant Hill, from being employed as a School Resource Officer (SRO) in the Sabine Parish Schools, since counsel for Sabine Parish School Board notified staff that circumstances have changed and an opinion is no longer needed.

Adopted an advisory opinion in Docket No. 19-494 concluding that the Code of Governmental Ethics Code would not prohibit Amwaste of Louisiana, LLC (“Amwaste”) from contracting with Robertson Brothers Oil Company (“Robertson”) to purchase bulk fuel for their trucks and equipment while Tangipahoa Parish Councilman, Carlo Bruno, is employed with Robertson, since Mr. Bruno will not receive commission from the business relationship between Amwaste and Robertson; and, even though Robertson compensates Mr. Bruno as an employee, Robertson does not have nor is it seeking to obtain a contractual or other business or financial relationship with the Tangipahoa Parish Government.

Adopted an advisory opinion in Docket No. 19-495 concluding that the Code of Governmental Ethics would prohibit William “Rusty” Reeves, a full-time employee who serves as the Deputy Director of the Louisiana Rural Water Association, from being elected to the Allen Parish Police Jury, since Mr. Reeves would be receiving any thing of economic value (compensation) for services rendered to the Louisiana Rural Water Association as Deputy Director if were to be elected to the Allen Parish Police Jury and the Louisiana Rural Water Association is providing any services to any local water districts that were created by the Allen Parish Police Jury. The Code of Governmental Ethics would also prohibit Mr. Reeves from providing services as an employee of the Louisiana Rural Water Association to any local water district created by Allen Parish Police Jury if

he were to be elected to the Allen Parish Police Jury. Additionally, Section 1120 of the Code of Governmental Ethics provides that an elected official shall recuse himself from the vote to avoid a violation of Section 1112 of the Code of Governmental Ethics; Mr. Reeves would be subject to the participation prohibitions and recusal provisions.

Declined to issue an advisory opinion in Docket No. 19-556 regarding whether the Code of Governmental Ethics would prohibit firefighters from collecting donations on behalf of the Scott Fire Department to be used toward the purchase of fire equipment, since Louisiana Administrative Code, Title 52, Part 1, Section 601 requires that the person requesting an advisory opinion have an interest in the ruling of the Board and David Robin stated in the request that he is not employed by or serves as a volunteer firefighter with the Scott Fire Department and therefore, lacks standing to request the opinion.

Adopted an advisory opinion in Docket No. 19-616 concluding that the Code of Governmental Ethics would not prohibit Angelique Williams from working as a Child Care Consultant for the Louisiana Department of Health and Hospitals (“LDH”) following her retirement as a Licensing Supervisor with the Department of Education-Division of Child Care Licensing (“DOE-DCC”), since Ms. Williams did not provide training to child care providers while she was employed with DOE-DCC, and training licensed child care providers would not include assisting a person, for compensation, in a transaction, or in an appearance in connection with a transaction in which she participated during her public employment and involvement with the DOE-DCC.

Adopted an advisory opinion in Docket No. 19-625 concluding that Section 1111C(2)(d) of the Code of Governmental Ethics would prohibit Michelle Coleman, a volunteer member of the Allen Parish Civic Center Board, from being compensated to cater or bake cakes for private events

that occur at the Allen Parish Civic Center, since Ms. Coleman serves as a board member of the Allen Parish Civic Center.

Adopted an advisory opinion in Docket No. 19-633 concluding that Section 1111C(1)(a) of the Code of Governmental Ethics would prohibit Ben Burwell, an employee of the Leesville Police Department, Patrol Division, from receiving compensation from Perceptive Intelligence LLC for law enforcement software trainings, since the software is substantially related to the operations of the Leesville Police Department and Mr. Burwell participated in the operation of the software in his public capacity. The Board further concluded that Section 1111C(2)(d) would prohibit Mr. Burwell from receiving anything of economic value, including compensation, from Perceptive Intelligence LLC for any services rendered, since Perceptive Intelligence LLC has a contractual, business, or financial relationship with his agency, the Leesville Police Department.

Allowed the withdrawal of the advisory opinion request in Docket No. 19-643 regarding whether Dr. Janice Janz, a retired employee of the University of New Orleans who serves on the Board of Directors for the Edward Hynes Charter School in New Orleans, could nominate Michelle Douglas, Principal of the Edward Hynes Charter School in New Orleans, for a UNO 25 award while Dr. Janz is a Board member, since Dr. Janz notified staff that the nomination deadline had passed.

Adopted an advisory opinion in Docket No. 19-644 concluding that the exception in Section 1119C(2) of the Code of Governmental Ethics applies and would not prohibit Deborah Gautreaux's continued employment as the Administrator for the Lafourche Ambulance District No. 1 ("District"), while her brother-in-law, Wayne Doucet, serves as an appointed member of the Board of Commissioners by the Lafourche Parish Council, since she has been employed as the administrator for more than one year prior to Mr. Doucet becoming an agency head over the District. The Board

further concluded that Mr. Doucet would be prohibited by Section 1112B(1) of the Code of Governmental Ethics from participating in any matter in which Ms. Gautreaux personally has a substantial economic interest. Mr. Doucet would be required to recuse himself from such debate, discussion, and vote pursuant to Section 1120.4 of the Code of Governmental Ethics.

Adopted an advisory opinion in Docket No. 19-645 concluding that the Code of Governmental Ethics would not prohibit Elizabeth deEtte Smythe, Ph.D., currently employed as the Engineering Regulatory Coordinator in the Department of Development-Engineering for St. Tammany Parish, from providing compensated services as a subject matter expert (“SME”) with the U.S. Department of Justice (“DOJ”), since Dr. deEtte Smythe would not be participating in anything in which she participated as the Engineering Regulatory Coordinator in the Department of Development-Engineering for St. Tammany Parish and all work performed as an SME will be conducted outside of her employment with St. Tammany Parish.

Adopted an advisory opinion in Docket No. 19-662 concluding that, based on the facts presented, the Code of Governmental Ethics would not prohibit Jessica G. Richardson from providing historic preservation consultation services to private property owners/developers, provided that Ms. Richardson would not be doing any work or providing any services to her former agency, the State Historic Preservation Office (“SHPO”), and to her current agency, the Louisiana Department of Transportation and Development (“LaDOTD”), as an Environmental Impact Specialist.

Adopted an advisory opinion in Docket No. 19-663 concluding that based on the facts presented, the Code of Governmental Ethics would not prohibit Tikera D. Chisley, Education

Program Consultant (“EPC”) with the Louisiana Department of Education’s (“LDOE”) Office of Federal Programs, from maintaining her employment with the Louisiana Department of Education while providing contractual services to Hoffman Early Learning Center as an Accreditation Coach (“HELAC”), since the LDOE’s Office of Federal Programs does not have any involvement with national accreditation; the national accreditation process is not required, regulated, or administered by the LDOE; and, as an HELAC Accreditation Coach, she will not be required to interact with the LDOE in any capacity.

Declined to render an advisory opinion in Docket No. 19-680 regarding whether a Type 1 Charter School's application submitted to the Vermilion Parish School Board that includes people in positions prohibited by Section 1119 of the Code of Governmental Ethics renders the application null and void and whether such deficiencies can be cured without starting the charter application process over, since the Board does not have the authority nor does it have jurisdiction over Type 1 Charter School applications and whether such charter school applications can be deemed null and void for containing potential nepotism violations. The Board further suggested that Justin T. Merritt, Risk Manager and Legal Counsel for the Vermilion Parish School Board, advise the school board to notify the Charter School applicant of the prohibitions in Section 1119 of the Code of Governmental Ethics.

Adopted an advisory opinion in Docket No. 19-681 concluding that the Code of Governmental Ethics would not prohibit Mark Ludke, owner of Mark’s Driving Academy, LLC and teacher at C.E. Byrd High School in Shreveport, from providing private driver education courses to students, since C.E. Byrd High School will no longer offer driver education courses. However, the Board further concluded that Section 1111C(2)(d) of the Code of Governmental Ethics would

prohibit Mr. Ludke from receiving anything of economic value from students he is teaching at C.E. Byrd High School.

Absent specific information, declined to render an advisory opinion in Docket No. 19-682 regarding whether Builders Supply Company, Inc. can sell concrete to new and existing construction to political subdivisions and contractors building projects for a political subdivision.

Adopted an advisory opinion in Docket No. 19-683 concluding that no violation of the Code of Governmental Ethics would be presented by Michael Sanders being promoted to Fire Chief of Fire District 1 in Natchitoches Parish while his father, Ricky Sanders, serves as the Chairman of the Board for Fire District 1 in Natchitoches Parish, since the limited exception in Section 1119C(6) of the Code of Governmental Ethics would allow Michael Sanders' employment as a volunteer firefighter and any decision regarding his employment as a volunteer firefighter by an agency head, a chief executive of a governmental entity, or a member of a governing authority to include his father, Ricky Sanders, as the Chairman of the Board for District 1. Also, both Michael and Ricky Sanders have served the District for over a year and Michael Sanders has never received any compensation for any services rendered.

Adopted an advisory opinion in Docket No. 19-684 concluding that the Code of Governmental Ethics would not prohibit Mandy Green, Ph.D., a Coastal Resources Scientist Senior – DCLB in the Planning and Research Division of the Louisiana Coastal Protection and Restoration Authority (“CRPA”), from being employed by Royal Engineers & Consultants, a private engineering and environmental consulting company, after terminating her employment with CRPA or working on any future CRPA Environmental Science and Consulting Services (“ESCS”) task orders that Dr. Green did not previously participate in while employed at CRPA as a Contract Monitor. However,

Section 1121B of the Code of Governmental Ethics would prohibit Dr. Green from working on existing CRPA-ESCS task orders that existed or that were previously rendered by her during her employment as a Contract Monitor with CRPA.

Adopted an advisory opinion in Docket No. 19-686 concluding that the Code of Governmental Ethics would not prohibit Dwight Norton, owner of Umbrella Collaborative, L3C and former employee of the City of New Orleans, from contracting with the City of New Orleans, Office of Homeland Security and Emergency Preparedness (“NOSHEP”) to provide community engagement consulting services to support the development of an updated FEMA Hazard Mitigation Plan, since neither Mr. Norton nor Umbrella Collaborative, L3C would be rendering services that were previously rendered by him during his public employment with the City of New Orleans.

Adopted an advisory opinion in Docket No. 19-687 concluding that the Code of Governmental Ethics would not prohibit Jared Genova, an owner of Umbrella Collaborative, L3C and former employee of the City of New Orleans, from contracting with the City of New Orleans Office of Homeland Security and Emergency Preparedness (“NOSHEP”) to provide community engagement consulting services to support the development of an updated FEMA Hazard Mitigation Plan, since neither Mr. Genova nor Umbrella Collaborative, L3C would be rendering services that were previously rendered by him during his public employment with the City of New Orleans.

Deferred to the August meeting, consideration of a request for an advisory opinion in Docket No. 19-496 regarding the West Feliciana Hospital Board contracting with Dr. Nnamdi Nwabueze. and instructed the staff to obtain additional information.

Adopted an advisory opinion in Docket No. 19-597 concluding that Sections 1113A and 1113B of the Code of Governmental Ethics would prohibit Antonio Williams, Jr., a security patrol

officer with the Villa del Rey Crime Prevention District, from entering into a contract for security patrol services to the Villa del Rey Crime Prevention District if his father, Antonio Williams, serves as a member of the Villa del Rey Crime Prevention District Board of Directors and/or the Security Patrol Coordinator, since it would be considered a transaction under the supervision or jurisdiction of his agency.

Adopted an advisory opinion in Docket No. 19-646 concluding that the lobbying laws under the jurisdiction of the Board of Ethics apply to members of the Office of Group Benefits Policy and Planning Board (“OGB-Board”), since (1) members of the Planning Board would be considered "state employees" subject to the prohibitions set forth in La. R.S. 24:56F. Advisory Opinion 2013-1074 opined that prior to 1980, the Code of Governmental Ethics defined "state employee" to include those members of a board appointed by the Governor or any elected officer or official of the State, therefore, members of the Dentistry Board which were appointed by the Governor were "state employees" and subject to the prohibitions of La. R.S. 24:56F; (2) the prohibition against lobbying as set forth in La. R.S. 24:56F is applicable to members of the Planning Board for the same reasons as set forth above; (3) testimony by any member of the Planning Board before the Legislature or any Committee thereof would be considered "lobbying activity" as addressed in R.S. 24:51(4) if the purpose of which was to aid in influencing the passage or defeat of any legislation; (4) a member of the Planning Board would not be prohibited from offering testimony regarding official action previously taken by the Board on a matter of interest to OGB that is pending before the Legislature or any committee thereof, provided the information is not offered to influence the passage or defeat of legislation; and, (5) a member of the Planning Board could offer testimony in the nature of factual information on a matter of interest to OGB pending before the Legislature or any committee thereof,

as La. R.S. 24:56F specifically allows dissemination of factual information relative to any such matter intended to have the effect of law pending before the legislature or any committee thereof.

By a vote of 7 yeas by Board members Colomb, Couvillon, Dittmer, Lavastida, Leggio, McAnelly and Smith, and 2 nays by Board members Bruneau and Meinert, adopted an advisory opinion in Docket No. 19-661 concluding that no violation of the Code of Governmental Ethics is presented by the Morgan City Harbor and Terminal District entering into a contract with Berry Brothers General Contractors, the lowest bid contractor, while Troy Lombardo, an appointed Board member of the Morgan City Harbor and Terminal District's Board of Commissioners, is an employee of Berry Brothers General Contractors, since Mr. Lombardo does not have an ownership interest in Berry Brothers. The Board further concluded that Mr. Lombardo would be prohibited by Section 1111C(2)(d) of the Code of Governmental Ethics from receiving anything of economic value including his compensation as an employee from Berry Brothers for any services while the company has or is seeking to obtain a contractual business or financial relationship with his agency, the District. Specifically, Mr. Lombardo would be prohibited from receiving compensation of any kind, including but not limited to, salary benefits or the promise of delayed future salary payments. As a result of the Section 1111C(2)(d) prohibition of the Code of Governmental Ethics, Mr. Lombardo would be required to choose between remaining a Berry Brothers employee or a District Board member. Finally, the Board instructed the staff to caution Mr. Lombardo that if he decides to remain on both despite the prohibition, he would be prohibited by Section 1112B(3) of the Code of Governmental Ethics from participating in any matter in which Berry Brothers has a substantial economic interest. Mr. Lombardo would be required to recuse himself pursuant to Section 1120(4) of the Code of Governmental Ethics from any discussion debate or vote on any such matter.

Board Member Couvillon was excused from the meeting at 10:45 a.m.

Adopted an advisory opinion in Docket No. 19-688 concluding that no violation of the Code of Governmental Ethics is presented by the People's Institute for Survival and Beyond ("the Institute") entering into a contractual relationship with Robert Russa Moton Charter School ("Moton Charter School") in New Orleans while Barbara Crain-Major serves as an appointed member of the Moton Charter School and is employed as a trainer by the Institute, since Ms. Crain-Major does not have an ownership interest in the Institute. The Board further concluded that Section 1111C(2)(d) of the Code of Governmental Ethics would prohibit Barbara Crain-Major from receiving anything of economic value, including her compensation as an employee, from the Institute for any services rendered while the Institute has or is seeking to obtain a contractual business or financial relationship with her agency, the Moton Charter School. In addition, the Board instructed staff to caution Ms. Crain-Major that she would be prohibited by Section 1112B(3) of the Code of Governmental Ethics from participating in any matter in which the Institute has a substantial economic interest and that she would be required to recuse herself pursuant to Section 1120.4 of the Code from any discussion, debate or vote on any such matter.

The Board recessed at 10:51 a.m. and resumed back into general business session at 11:07 a.m.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the June 20-21, 2019 meetings.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a staff memorandum in Docket No. 14-472 regarding the assessment of late fees and a

civil penalty for the late filings of multiple Supplemental campaign finance disclosure reports by William B. “Billy” Caster, an unsuccessful candidate for Mayor of the City of Harahan in the October 2, 2010 election. On motion made, seconded and passed by a vote of 5 yeas by Board members Bruneau, Colomb, Dittmer, Lavastida and Leggio, and 3 nays by Board members McAnelly, Meinert and Smith, the Board (1) rescinded the late fees for the 2011, 2012, 2013, 2014 and 2015 Supplemental campaign finance disclosure reports in connection with the October 2, 2010 election, and (2) rescinded the \$10,000 civil penalty for the 2013 Supplemental campaign finance disclosure report in connection with the October 6, 2010 election, since on November 30, 2017, Mr. Caster filed an amended 10-G campaign finance disclosure report to forgive the deficit and close the election. With this amendment, the Supplemental campaign finance disclosure reports were no longer required to be filed.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G38 - G42 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 G38 - G42, taking the following action:

The Board considered a proposed consent opinion in Docket No. 17-208 regarding Terrance Stewart, former Director of Landfill Services for Tangipahoa Parish. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion in which Terrance Stewart, former Director of Landfill Services for Tangipahoa Parish, agrees that a violation of Section 1111A(1)(a) of the Code of Governmental Ethics occurred by virtue of his receipt of payments totaling \$18,532.70 for the sale of Tangipahoa Parish owned scrap metal to Hwy. 16 Scrap

Yard, LLC, which he was not duly entitled to receive for the performance of his job duties and responsibilities and in which Mr. Stewart agrees to pay a civil penalty of \$2,500 and that in the event of a failure to pay, the Board of Ethics may file suit to compel immediate payment of any balance due. The Board further dismissed the charges against Terrance Stewart pending before the Ethics Adjudicatory Board (EAB).

The Board considered proposed consent opinions in Docket No. 18-037 regarding the employment of the of Emily Volpe, daughter of April Volpe, in the Accounting Department of the Vernon Parish Sheriff's Office while April Volpe served as the supervisor in the Accounting Department with the Vernon Parish Sheriff's Office. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinions in which (1) Sam Craft, Vernon Parish Sheriff, agrees that a violation of Section 1119D of the Code of Governmental Ethics occurred by virtue of his hiring Emily Volpe when he knew that she was the daughter of April Volpe, the Accounting Deputy/Supervisor of the Accounting Department in the Vernon Parish Sheriff's Office, and placing Emily Volpe under the direct supervision of her mother and in which Sheriff Craft agrees to pay a fine of \$500 and that in the event of a failure to pay, the Board of Ethics may file suit to compel immediate payment of any balance due. The fine is to be payable in five (5) monthly installments of \$100 with the first payment due on or before June 15, 2019, each subsequent payment due on the 15th of each following month, with the final payment of \$100 due on or before October 15, 2019; and, (2) Calvin Turner, Chief Deputy Sheriff of the Vernon Parish Sheriff's Office, agrees that a violation of Section 1119D of the Code of Governmental Ethics occurred by virtue of his knowledge that Emily Volpe was the daughter of April Volpe, the Accounting Deputy/Supervisor of the Accounting Department in the Vernon Parish Sheriff's Office, when he

participated in employing Emily Volpe and assigned her to the Accounting Department which was under the direct supervision of her mother and in which Deputy Sheriff Turner agrees to pay a fine of \$500 and that in the event of a failure to pay, the Board of Ethics may file suit to compel immediate payment of any balance due. The fine is to be payable in five (5) monthly installments of \$100 with the first payment due on or before June 15, 2019, each subsequent payment due on the 15th of each following month, with the final payment of \$100 due on or before October 15, 2019.

The Board considered a proposed consent opinion in Docket No. 18-076 regarding Anita and Lynn Breaux with Glencoe Education Foundation, Inc., operating as Glencoe Charter School in Franklin, St. Mary Parish. On motion made, seconded and unanimously passed, the Board adopted for publication the joint consent opinion in which (1) Anita Breaux, an employee of the Glencoe Charter School, agrees that a violation of Section 1112B(1) of the Code of Governmental Ethics occurred by virtue of her participation in signing the checks issued to her husband, Lynn Breaux, from Glencoe Charter School when Lynn Breaux had a substantial economic interest in the payments from Glencoe Charter School; and, (2) Lynn Breaux agrees that a violation of Section 1113A of the Code of Governmental Ethics occurred by virtue of his entering into thirty-seven (37) transactions with Glencoe Charter School and his receipt of \$37,635.00 in payments from Glencoe Charter School while his wife was employed as the Chief Executive Officer of Glencoe Charter School and in which Anita Breaux and Lynn Breaux agree to pay a joint civil penalty of \$1,800 and that in the event of a failure to pay, the Board of Ethics may file suit against either to compel immediate payment of any balance due.

The Board considered a proposed consent opinion in Docket No. 18-230 regarding Calvin and Connie Duhon and the Doyce Lagneaux Store, Inc. On motion made, seconded and unanimously

passed, the Board adopted for publication the consent opinion in which Connie Duhon, Calvin Duhon and the Doyce Lagneaux Store, Inc. agree that violations of Section 1113A(1)(a) of the Code of Governmental Ethics occurred by virtue of entering into transactions totaling ten thousand four hundred thirty-seven dollars and seventy cents (\$10,437.70) with the Waterworks District at a time when Connie Duhon was employed by the Waterworks District, and in which Connie Duhon, Calvin Duhon and Doyce Lagneaux Store, Inc. agree to pay a joint civil penalty of \$3,000 and that in the event of a failure to pay, the Board of Ethics may file suit to compel immediate payment of any balance due. The Board further dismissed the charges against Connie Duhon, Calvin Duhon and the Doyce Lagneaux Store, Inc. pending before the Ethics Adjudicatory Board (EAB).

The Board considered proposed consent opinions in Docket No. 18-1406 regarding Paige O'Quinn and Rachel Broome entering into prohibited transactions with the Natchitoches Parish Fire Protection District No. 1. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinions in which (1) Paige O'Quinn agrees that (1) a violation of Section 1113A(1)(a) of the Code of Governmental Ethics occurred by virtue of her entering into contracts, subcontracts, and/or transactions that were under the supervision and jurisdiction of the Natchitoches Parish Fire Protection District No. 1 while her mother-in-law, Charlotte Prothro, was employed by the Natchitoches Parish Fire Protection District No. 1 as Fire Chief; and, (2) a violation of Section 1113B of the Code of Governmental Ethics occurred by virtue of her entering into or being in any way interested in contracts, subcontracts, and/or transactions, which were under the supervision and jurisdiction of the Natchitoches Parish Fire Protection District No. 1 while her father-in-law, Joseph Prothro, served as an appointed board member of the Natchitoches Parish Fire Protection District No. 1 and in which Ms. O'Quinn agrees to pay a civil penalty of \$1,500 and that

in the event of a failure to pay, the Board of Ethics may file suit to compel immediate payment of any balance due; and, (2) Rachel Broome agrees that a violation of Section 1113A(1)(a) of the Code of Governmental Ethics occurred by entering into contracts, subcontracts, and/or transactions that were under the supervision and jurisdiction of the Natchitoches Parish Fire Protection District No. 1 while her mother-in-law, Charlotte Prothro, was employed by the Natchitoches Parish Fire Protection District No. 1 as Fire Chief; and, (2) a violation of Section 1113B of the Code of Governmental Ethics occurred by virtue of her entering into or being in any way interested in contracts, subcontracts, and/or transactions, which were under the supervision and jurisdiction of the Natchitoches Parish Fire Protection District No. 1 while her father-in-law, Joseph Prothro, served as an appointed board member of the Natchitoches Parish Fire Protection District No. 1 and in which Ms. Broome agrees to pay a civil penalty of \$1,500 and that in the event of a failure to pay, the Board of Ethics may file suit to compel immediate payment of any balance due. The Board further dismissed the charges against Paige O'Quinn and Rachel Broome pending before the Ethics Adjudicatory Board (EAB).

The Board considered a request for an advisory opinion in Docket No. 19-685 regarding whether the Code of Governmental Ethics would prohibit Larry Cochran, St. Charles Parish President, from executing a property deed transfer evidencing delivery of title of certain real estate owned by St. Charles Parish that was auctioned to the highest bidder, a company owned by St. Charles Parish Councilman Paul J. Hogan. On motion, seconded and unanimously passed, the Board concluded that while Larry Cochran, acting as St. Charles Parish President, may have the legal authority to execute a deed which conveys title of Lots 91 and 93 of the Modoc Subdivision in St.

Charles Parish, the execution of the deed would violate Section 1113A of the Code of Governmental Ethics.

The Board considered a request for an advisory opinion in Docket No. 19-753 regarding whether the Code of Governmental Ethics would prohibit Roger Freeman, the elected Police Chief for the Town of Many which is governed by the Lawrason Act, to be employed as a School Resource Officer (“SRO”) in Sabine Parish Schools. On motion made, seconded and unanimously passed, the Board concluded that the Code of Governmental Ethics would not prohibit Chief Freeman from being employed by the Sheriff of Sabine Parish to work as a SRO in Sabine Parish Schools located outside of Chief Freeman’s elected municipal city limits while he continues to serve as Police Chief for the Town of Many, only to be compensated once for the performance of his duties in either role. The Board further concluded that Section 1111A(1)(a) of the Code of Governmental Ethics would prohibit Chief Freeman from receiving compensation from the Sheriff of Sabine Parish as an SRO while he is performing duties as Police Chief for the Town of Many. Additionally, the Board suggested that Chief Freeman contact the Attorney General’s Office concerning the application of dual officeholding and dual employment laws, as stated in Louisiana Revised Statute 42:61.

The Board deferred discussion of the selection process for the Executive Secretary position until the end of the meeting.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board unanimously agreed to take action on the requests for “good cause” waivers of late fees assessed against candidates and committees included in the Campaign Finance Waiver Chart en globo subject to any items being removed from the en globo listing for further discussion.

On motion made, seconded and unanimously passed, the Board adopted the staff

recommendations on the items in the Campaign Finance Waiver Chart, taking the following action:

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

Docket No. 19-350 from SWLA Forward PAC of a \$3,000 late fee;
Docket No. 19-353 from Tina Miceli of a \$320 late fee;
Docket No. 19-613 from John C. Reeves of two \$360 late fees;
Docket No. 19-622 from Michael S. Yenni of a \$100 late fee;
Docket No. 19-631 from Jonathan Liberto of a \$600 late fee;
Docket No. 19-642 from Wydette Williams of a \$1,020 late fee;
Docket No. 19-657 from Tim Bailey of a \$2,000 late fee; and,
Docket No. 19-660 from W. K. "Bill" Fontenot of two (2) \$600 late fees;

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 19-350 for a waiver of a \$3,000 late fee assessed against the SWLA Forward PAC, a political action committee; its committee's chairperson, Jonald J. Walker; and, treasurer, James Gary Gobert in the November 6, 2018 election, for filing the 10-G campaign finance disclosure report 154 days late. On motion made, seconded and unanimously passed, the Board waived the \$3,000 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 19-353 for a waiver of a \$440 late fee assessed against Tina Miceli, a candidate for Mayor, City of Harahan, Jefferson Parish, in the November 6, 2018 election, for filing the Special campaign finance disclosure report 11 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$440 late fee but suspended \$340 conditioned upon future compliance with the Campaign Finance Disclosure Act and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 19-445 for a waiver of a \$480 late fee assessed against Alfred “Sonnie” Dupree, a candidate for Aldermen, City of Opelousas, St. Landry Parish, in the November 6, 2018 election, for filing the 10-G campaign finance disclosure report 12 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$480 late fee but suspended the entire late fee 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. 19-568 for a waiver of a \$2,800 late fee assessed against UA Local 198 PAC, a political action committee, it’s committee’s chairperson, Neal P. Miller and treasurer, Charles B. Habig, Jr, for filing the January 2019 Monthly campaign finance disclosure report 14 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$2,800 late fee but suspended \$2,400 conditioned upon future compliance with the Campaign Finance Disclosure Act and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 19-615 for a waiver of a \$400 late fee assessed against Mary Ellen Donatto, a candidate for St. Landry Parish School Board, District 13, in the November 4, 2014 election, for filing the 2018 Supplemental campaign finance disclosure report 10 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$400 late fee but suspended \$300 conditioned upon future compliance with the Campaign Finance Disclosure Act and

provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 19-623 for a waiver of the \$1,000 late fee assessed against Stephen Saussy, a candidate for Aldermen, Town of Abita Springs, St. Tammany Parish, in the November 6, 2018 election, for filing the 2018 Supplemental campaign finance disclosure report 76 days late. On motion made, seconded and unanimously passed, the Board rescinded the late fee, since Mr. Saussy amended the 10-G Campaign finance disclosure report to close out his campaign. Therefore, the 2018 Supplemental campaign finance disclosure report was not required to be filed.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 19-639 for a waiver of the \$2,000 late fee assessed against Jason Verdigets, a candidate for Judge, 23rd Judicial District Court, ES- 2, Division A, Jefferson Parish, in the November 4, 2014 election, for filing the 2018 Supplemental campaign finance disclosure report 82 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$2,000 late fee but suspended \$1,800 conditioned upon future compliance with the Campaign Finance Disclosure Act and provided the payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 19-640 for a waiver of the \$400 late fee assessed against Eric M. Chatelain, a candidate for Mayor, City of Harahan, Jefferson Parish, in the November 4, 2014 election, for filing the 2018 Supplemental campaign finance disclosure report 24 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$400 late fee but

suspended \$300 conditioned upon future compliance with the Campaign Finance Disclosure Act and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 19-641 for a waiver of the \$240 late fee assessed against David Kenneth Hedrick, Jr., a candidate for Concordia Parish Sheriff in a future election, for filing the 2018 Annual campaign finance disclosure report 53 days late. On motion made, seconded and unanimously passed, the Board waived the \$240 late fee, since the faxed report was timely received from David Kenneth Hedrick, Jr. but mistakenly processed as being filed by his father, current Concordia Parish Sheriff David Kenneth Hedrick Sr., and since the report has been completed and uploaded to David Kenneth Hedrick, Jr.'s LEADERS information.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 19-657 for a waiver of the \$2,000 late fee assessed against Tim Bailey, a candidate for State Representative, District 73, for filing the 2018 Supplemental campaign finance disclosure report 85 days late. On motion made, seconded and unanimously passed, the Board waived the \$2,000 late fee, since the agency's IT department confirmed that Mr. Bailey tried attempted to submit the 2018 Supplemental campaign finance disclosure report on the due date of February 15, 2019 but could not do so due to technical difficulties.

The Board considered a request in Docket No. 19-638 for a waiver of the \$50 late fee assessed against Lauren Bailey for filing her March 2019 Lobbying Expenditure Report 1 day late. On motion made, seconded and unanimously passed, the Board waived the \$50 late fee, since it was Ms. Bailey's first late filing.

Board Member Meinert was excused from the meeting at 12:00 p.m.

The Board considered a request in Docket No. 18-1374 for a waiver of the three (3) \$1,500 late fees (totaling \$4,500) assessed against Claude “Clyde” Wiggins, a member of the Gramercy Board of Aldermen, St. James Parish, for filing the 2014, 2015 and 2016 Tier 3 Annual personal financial disclosure statements 385 days late, respectively. On motion made, seconded and unanimously passed, the Board declined to waive the three (3) \$1,500 late fees (totaling \$4,500).

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered an untimely request in Docket No. 19-278 for a waiver of the \$1,380, \$180 and \$600 late fees (totaling \$2,160) assessed against John C. Thompson, a candidate for West Feliciana Parish President in the November 6, 2018 election, for filing the 30-P, 10-P and 10-G Campaign finance disclosure reports 23, 3 and 20 days late. On motion made, seconded and unanimously passed, the Board (1) agreed to consider the untimely request for the three late fees; (2) waived the entire \$1,380 late fee in connection with the 30-P campaign finance disclosure report; (2) declined to waive the \$180 and \$600 late fees in connection with the 10-P and 10-G campaign finance disclosure reports, but suspended the entire portion of both late fees conditioned upon future compliance with the Campaign Finance Disclosure Act, since Mr. Thompson submitted medical documentation to show good cause.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request for reconsideration in Docket No. 19-289 of the Board's denial to waive the \$1,000, \$716 and \$1,000 late fees assessed against Tammy W. Lamy, a candidate for St. Tammany Parish School Board, District 11 in the November 6, 2018 election, for filing the 30-P, 10-P and 10-G campaign finance disclosure reports 36, 53 and 38 days late. On motion made, seconded and

unanimously passed, the Board declined to waive the \$1,000, \$716 and \$1,000 (totaling \$2,716) late fees but suspended the entire portion of all three (3) late fees totaling \$2,716 and conditioned upon future compliance with the Campaign Finance Disclosure Act, since it was Ms. Lamy's first election and she has since retired.

The Board considered a request for an advisory opinion in Docket No. 19-696 regarding the hiring of Mary Peyton, an attorney currently employed by Adams & Reese, by the Louisiana Board of Medical Examiners to serve as its General Counsel while Adams & Reese has a contract to perform legal services on behalf of the Louisiana Board of Medical Examiners. On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by the employment of Mary Peyton by the Louisiana State Board of Medical Examiners as its General Counsel, since Ms. Peyton will terminate her employment with Adams & Reese if hired by the Louisiana Board of Medical Examiners.

On motion made, seconded and passed by a vote of 4 yeas by Board Members Colomb, Dittmer, Lavastida and Leggio and 3 nays by Board Members Bruneau, McAnelly and Smith, the Board dismissed the charges against Herman Taitt in Docket No. 13-1059.

Ms. Allen advised the Board that due to building construction, the Griffon Room would be unavailable for the Board's executive business meeting on December 19th. Following discussion, the Board agreed to conduct both the executive business and general business meetings on December 20th in the LaBelle Room. Board Member Bruneau suggested that the meeting could commence at 10:00 a.m. with the Board conducting their general business session first and then follow with the executive business session.

The Board excused the members of the public and staff, except for Ms. Allen, Ms. Grier and Ms. Gary, from the room and unanimously resolved into executive session.

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EXECUTIVE SESSION

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The Board unanimously resolved into general business session.

On motion made, seconded and unanimously passed, the Board agreed to interview the following six (6) applicants for the Executive Secretary position:

1. Susan C. Aguiluz
2. Amy C. Burris
3. Carolyn Abadie Landry
4. Trisha Landry
5. Ashley Simmons
6. Christie Smith

The Board further instructed the staff to request a possible waiver from the Department of Civil Service to interview an additional applicant.

Ms. Allen suggested that the staff could make a general presentation prior to the commencement of the interviews and compile a list of questions to be asked of each applicant during the interviews.

Board Member Bruneau suggested that the staff could ask questions of the applicants followed by questions from the Board members. In addition, each applicant will be asked to submit a writing sample following the interview.

On motion made, seconded and unanimously passed, the Board adjourned at 1:00 p.m.

Secretary

APPROVED:

Chairman