



Louisiana Board of Ethics

**LaSalle Building
First Floor - Griffon Room
DECEMBER 19, 2013
1:00 PM
617 North 3rd Street
Baton Rouge, Louisiana**

Note: Meetings begin on December 19, 2013 and continue to December 20, 2013.

Executive Session

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

[Discussion in Executive Session of litigation involving late fees assessed against Empower PAC for the late filing of monthly campaign finance reports.](#)

Louisiana Board of Ethics

**LaSalle Building
First Floor - LaBelle Room
DECEMBER 20, 2013
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 administrative law judges to serve on the panels of the Ethics Adjudicatory Board, as well as an alternate.

- G2.** [Docket No. 12-407](#)
Appearance in connection with a waiver request submitted by Donald Cravins, Sr., candidate for Mayor of the City of Opelousas in the October 22, 2011 election, regarding a \$2,500 late fee assessed for filing his 2010 Tier 2 candidate personal financial statement 55 days late.
- G3.** [Docket No. 12-1868](#)
Waiver request submitted by Representative Wesley Bishop regarding a \$2,500 late fee assessed for filing his 2009 Tier 2 candidate pfd 97 days late.
- G4.** [Docket No. 13-400](#)
Appearance in connection with a reconsideration of a waiver request submitted by Huey Wyble, member of the St. Landry Parish School Board, regarding a \$2,500 late fee assessed for filing his 2009 Tier 2 annual pfd 642 days late; a \$2,500 late fee assessed for filing his 2010 Tier 2 annual pfd 138 days late; and a \$2,500 late fee assessed for filing his 2009 Tier 2 candidate pfd 635 days late.
- G5.** [Docket No. 13-873](#)
Appearance in connection with a reconsideration of a waiver request submitted by Harold Allbritton, a member of the Spearsville Board of Aldermen, regarding a \$1,500 late fee assessed for filing his 2010 Tier 3 annual pfd days late.
- G6.** [Docket No. 13-936](#)
Appearance in connection with an advisory opinion request regarding Liskow & Lewis, PLC, providing advice to clients regarding legislation through a separate company, now that a member of the Louisiana Legislature is a partner in Liskow & Lewis.
- G7.** [Docket No. 13-1089](#)
An appearance in connection with a request that the Board reconsider the waiver of the \$1,200, \$1,000 and \$1,200 campaign finance late fees assessed against Pelican State Liberty PAC and Reilly O'Neal, its chairman, whose three (3) Monthly campaign finance disclosure reports were filed 6, 5 and 6 days late.
- G8.** [Docket No. 13-1128](#)
An appearance in connection with a request the Board waive the \$2,000 campaign finance late fee assessed against LA Restaurant Association Hospitality PAC, in the April 6, 2013 election, whose 10-G campaign finance disclosure report was filed 26 days late.
- G9.** [Docket No. 13-1218](#)
Appearance in connection with a request to clarify an advisory opinion regarding whether a member of the New Orleans City Planning Commission (CPC) may engage the services of an architect or contractor who has work submitted to the CPC.
- G10.** [Docket No. 13-1275](#)
Appearance in connection with a waiver request submitted by Franklin Kyle, a member of the State Police Commission, regarding a \$1,500 late fee assessed for filing his 2010 Tier 2.1 annual pfd 338 days late.
- G11.** [Docket No. 13-1280](#)
Waiver request submitted by Verbon Muhammad, a member of the Monroe City School Board, regarding a \$2,500 late fee assessed for filing his 2011 Tier 2 annual pfd 284 days late.

- G12.** [Docket No. 13-1302](#)
Waiver request submitted by Greg P. Touchet, a member of the Iberia Vermilion Twin Parish Port Commission, regarding a \$1100 late fee assessed for filing his 2011 Tier 2.1 annual pfd 22 days late.
- G13.** [Docket No. 13-1364](#)
Waiver request submitted by Jeffery S. Jenkins, a member of the University of Louisiana System, regarding a \$1500 late fee assessed for filing his 2010 Tier 2.1 annual pfd 380 days late.
- G14.** [Docket No. 13-1369](#)
Waiver request submitted by Seth Magruder Dawson, a member of the State Police Commission, regarding a \$1500 late fee assessed for filing his 2010 Tier 2.1 Annual pfd 379 days late.
- G15.** [Docket No. 13-1376](#)
Waiver request submitted by Michael J. Hebert, Jr., a member of the Iberville Parish School Board, regarding a \$1500 late fee assessed for filing his 2010 Tier 2 annual pfd 423 days late.
- G16.** [Docket No. 13-1396](#)
Waiver request submitted by Alton Fabre, Jr., a former member of the Wild Caught Shrimp Trade Action Advisory Council, regarding a \$1500 late fee assessed for filing his 2010 Tier 2.1 annual pfd 406 days late.
- G17.** [Docket No. 13-1490](#)
Appearance in connection with the a request that the Board waive the \$50 late fee assessed against Malcolm Myer for his failure to timely file a lobbyist expenditure report
- G18.** [Docket No. 13-1491](#)
Request that the Board waive the \$1000 late fee assessed against Angela Sue Miller for her failure to timely file a Lobbyist Supplemental report.
- G19.** [Docket No. 13-1524](#)
Appearance in connection with a request that the Board waive the \$500 and \$1,500 campaign finance late fees assessed against LA FAM PAC whose 10-G and 30-P campaign finance disclosure report were filed 1,087 and 1,028 days late.

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

- G20.** [Docket No. 13-1450](#)
Advisory opinion request from the Concordia Parish Police Jury regarding whether a Ridgecrest Alderman may be promoted within the Concordia Parish Council on Aging.
- G21.** [Docket No. 13-1451](#)
Advisory opinion request concerning the post-employment restrictions applicable to Tony Tramel, the former Director of the Traffic and Transportation Department with the Lafayette City-Parish Consolidated Government.
- G22.** [Docket No. 13-1452](#)
Advisory opinion regarding whether Ronnie Wisenor, a compliance investigator

with the Louisiana Used Motor Vehicle Commission, may obtain a dealer's license from the Louisiana New Motor Vehicle Commission.

- G23.** [Docket No. 13-1464](#)
Advisory opinion request regarding the post-employment restrictions applicable to Lum Farr, a former employee of the Louisiana Delta Community College (LDCC), who wishes to contract to provide food service to LDCC at the West Monroe campus.
- G24.** [Docket No. 13-1465](#)
Advisory opinion request regarding the nomination and election of Cindy Hoyle to serve as a member of the board of directors of Belle Chasse Academy, Inc., while her husband, James Hoyle, serves in the same capacity.
- G25.** [Docket No. 13-1466](#)
Advisory opinion request regarding whether members of the Slidell Memorial Hospital Advisory Board are required to complete annual education and training on the Code of Governmental Ethics.
- G26.** [Docket No. 13-1470](#)
Advisory opinion request regarding whether a member of the Acadia Parish Police Jury, Dale Trahan, may provide additional services, without compensation, to the Police Jury.
- G27.** [Docket No. 13-1473](#)
Advisory opinion request regarding Department of Transportation and Development (DOTD) employee Herbert Moore, III, and the applicability of the post-employment restrictions if he were to terminate his service with the DOTD.
- G28.** [Docket No. 13-1482](#)
Advisory opinion request regarding whether Ben Taylor, the Executive Director of the Housing Authority of Lake Charles, may accept an appointment to serve as a member of the "Jeff Davis Bank Advisory Board."
- G29.** [Docket No. 13-1483](#)
Advisory opinion request regarding secondary employment of Carissa L. Bokelberg, an employee of Metropolitan Human Services District.
- G30.** [Docket No. 13-1486](#)
Advisory opinion request regarding the potential promotion of Mrs. Betty Bennett, and employee of the Pineville Police Department, to a supervisory position while she has immediate family members employed with the Department.
- G31.** [Docket No. 13-1487](#)
Advisory opinion request regarding whether a grocery store owned by Peggy Fontenot, principal of Maurepas High School, can conduct business with Maurepas High School.
- G32.** [Docket No. 13-1489](#)
Advisory opinion regarding whether, Jeff Edgecombe, councilman for Plaquemines Parish Government may provide services to a company that previously came before the council.
- G33.** [Docket No. 13-1493](#)
Advisory opinion request regarding whether Laurie Pennison, a candidate for the office of Mandeville, Ward 4, Justice of the Peace, is required to file a campaign

finance disclosure report where she received no campaign contributions.

- G34.** [Docket No. 13-1512](#)
Advisory opinion regarding whether Jefferson Parish Council may direct the Jefferson Parish Attorney's office to take on additional duties that were previously assigned to the Ethics and Compliance Director.
- G35.** [Docket No. 13-1518](#)
Advisory opinion regarding whether the Louisiana Fire and Casualty Company PAC may make a donation to the Louisiana Automobile Theft and Insurance Fraud Prevention Authority (LATIFPA).
- G36.** [Docket No. 13-1521](#)
Advisory opinion request regarding whether Jimmy Anthony, Assistant Secretary of Wildlife for the Department of Wildlife and Fisheries, may serve as a board member for Hunters for the Hungry.
- G37.** [Docket No. 13-1522](#)
Advisory opinion regarding the application of the post employment restrictions to Angela Bihm, an employee of the Department of Health and Hospitals (DHH).
- G38.** [Docket No. 13-1523](#)
Advisory opinion regarding whether part-time, on-call, and temporary employees for Jefferson Parish are required to receive mandatory one hour ethics training.
- G39.** [Docket No. 13-1528](#)
Advisory opinion regarding whether members of the Ascension Parish Industrial Development Board may participate in matters before the Board involving their employers.
- G40.** [Docket No. 13-1548](#)
Advisory opinion request from the Town of Zwolle regarding whether the Town would be prohibited from purchasing goods from Rivers Builders Supply while Allen Rivers serves as Zwolle Councilman.
- G41.** [Docket No. 13-1550](#)
Advisory opinion regarding whether Lambert Hassinger may participate as a member of the Southeast Louisiana Flood Protection Authority-East in matters involving the lawsuit filed by the Southeast Louisiana Flood Protection Authority-East against 97 oil and gas companies, if his law firm, Galloway, Johnson, Tompkins, Burr, and Smith, provide legal services to any of the oil companies which are defendants in the lawsuit filed by the Southeast Louisiana Flood Protection Authority-East.

Disclosure Reports

- G42.** [Docket No. 13-1507](#)
Notice of disclosure reports filed with the Board during the month of September 2013.

Regular Business

- G43.** [Docket No. MINUTES](#)
November 2013 Board Minutes
- G44.** [Docket No. 13-879](#)
Reconsideration of a waiver request submitted by Martha Belton, a member of

the Webster Parish Convention and Visitors Bureau, regarding a \$1,500 late fee assessed for filing her 2010 Tier 2.1 annual pfd 269 days late.

G45. [Docket No. 13-1037](#)

Declaratory opinion request from Steven C. Wilson regarding Mr. Wilson's continued employment with Motiva while serving on the Pontchartrain Levee District and a declaratory opinion request from Gulf Coast GTL, LLC, as to whether its submission of an application to the Pontchartrain Levee District for a Letter of No Objection and the District's subsequent consideration of said Letter of No Objection while Mr. Wilson serves on the District would violate the Ethics Code.

G46. [Docket No. 13-1100](#)

Untimely waiver request submitted by James Goode, Jr., former Mayor of Sicily Island, regarding a \$1,500 late fee assessed for filing his 2009 Tier 3 annual pfd 640 days late and a \$1,500 late fee assessed for filing his 2009 Tier 3 candidate pfd 640 days late.

G47. [Docket No. 13-1110](#)

Untimely waiver request submitted by Jimmy Smith, a member of the Caddo Parish Board of Commissioners, regarding a \$2,500 late fee assessed for filing his 2011 Tier 2 annual pfd 41 days late.

G48. [Docket No. 13-1112](#)

Reconsideration of a waiver request submitted by Dimettera Frazier, a member of the Springhill Board of Aldermen, regarding a \$1,500 late fee assessed for filing her 2010 Tier 3 annual pfd 343 days late.

G49. [Docket No. 13-1341](#)

Advisory opinion regarding whether Bayou Land Trophies, owned by the wife of Bobby Badeaux, may continue to sell awards, trophies, plaques, and other recognitions to schools in Lafayette Parish while Bobby Badeaux serves as the Athletic Director of the Lafayette Parish School Board.

G50. [Docket No. 13-1366](#)

Untimely waiver request submitted by Marshall Brumfield, a member of the Louisiana Commission on Human Rights, regarding a \$1500 late fee assessed for filing his 2010 Tier 2.1 annual pfd 299 days late.

G51. [Docket No. 13-1391](#)

Untimely waiver request submitted by Richard Tassin, a former member of the Marksville City Council, regarding a \$1500 late fee assessed for filing his 2010 Tier 3 annual pfd 84 days late.

G52. [Docket No. 13-1478](#)

Advisory opinion request as to whether Jefferson Parish employees may purchase sporting event tickets at a discounted rate.

G53. [Docket No. 13-1504](#)

Untimely waiver request submitted by Mark McCloud Griggs, a member of the South Tangipahoa Port Commission, regarding a \$1500 late fee assessed for filing his 2010 Tier 2.1 annual pfd 332 days late.

G54. [Docket No. 13-1535](#)

Untimely waiver request submitted by Peter Festus Egan, a member of the Louisiana Public Facilities Authority, regarding a \$1500 late fee assessed for

filing his 2010 Tier 2.1 annual pfd 344 days late.

G55. [Docket No. 13-1547](#)

Advisory opinion request regarding whether the Mayor and Town Council for the Town of Franklin may use public funds to elevate a resident's home.

G56. WAIVER REQUESTS - CAMPAIGN FINANCE

[Docket No. Chart](#)

December 2013 Campaign Finance Waiver Chart

[Docket No. 13-704](#)

Request that the Board waive the \$600 campaign finance late fee assessed against Edward M "Eddie" Brossette, a candidate for Judge, 1st JDC, Elec. Sec. 2, Div. 1 in the October 4, 2008 election, whose 2012 Supplemental campaign finance disclosure report was filed 18 days late.

[Docket No. 13-1221](#)

Request that the Board waive the \$400, \$1,000 and \$1,000 campaign finance late fees assessed against Richard "Dale" Wolfe, a candidate for Councilman at Large, Division A, St. John the Baptist Parish in the October 22, 2011 election, whose 10-P, EDE-G and 40-G campaign finance disclosure reports were filed 574, 526 and 496 days late.

[Docket No. 13-1492](#)

Request that the Board consider waiving the \$160 campaign finance late fee assessed against Committee to Recall Demetric "Deedy" Slaughter, Deloris Gaines Kibby, Chairperson and Millie Ann Jackson, Vice Chairperson, whose 45th day campaign finance disclosure report was filed 48 days late.

[Docket No. 13-1494](#)

Request that the Board waive the \$600 and \$800 campaign finance late fees assessed against Demetrie Ford, a candidate for Judge, Traffic Court, Division D, Orleans Parish in the October 19, 2013, whose 30-P and EDE-P campaign finance disclosure reports were filed 6 and 8 days late.

[Docket No. 13-1495](#)

Request that the Board waive the \$360, \$180 and \$540 campaign finance late fees assessed against John S. Kean IV, a candidate for Parish President, West Feliciana Parish in the October 19, 2013 election, whose 30-P, 10-P and 10-G campaign finance disclosure reports were filed 6, 3 and 9 days late.

[Docket No. 13-1496](#)

Request the Board waive the \$60 and \$600 campaign finance late fees assessed against Earnestine Anderson-Trahan, a candidate for Judge, 2nd City Court, Orleans Parish in the November 6, 2012 election, whose 10-G and EDE-G campaign finance disclosure reports were filed 1 and 192 days late.

[Docket No. 13-1520](#)

Request that the Board waive the \$240 and \$400 campaign finance late fees assessed against Waylon McCormick, a candidate for Justice of the Peace, Ouachita Parish in the October 19, 2013 election, whose 10-P and EDE-P campaign finance disclosure reports were filed 6 and 10 days late.

[Docket No. 13-1525](#)

Request that the Board waive the \$600 and \$240 campaign finance late fee

assessed against Lea Reid Williams, a candidate for Parish President, West Feliciana Parish, in the October 19, 2013 election, whose 30-P and 10-P campaign finance disclosure reports were filed 11 and 4 days late.

G57. WAIVER REQUESTS - LOBBYING

[Docket No. CHART](#)

December 2013 Lobbying Waiver Recommendation Chart.

[Docket No. 13-1400](#)

Request that the Board waive the \$1500 late fee assessed against Nial Patel for his failure to timely file a Lobbyist Supplemental Registration report.

[Docket No. 13-1446](#)

Request that the Board waive the \$50 late fee assessed against Julie Mickelberry for her failure to timely file a lobbyist expenditure report

[Docket No. 13-1509](#)

Request that the Board waive the \$50 late fee assessed against Jennifer Pappan for her failure to timely file a lobbyist expenditure report

[Docket No. 13-1536](#)

Request that the Board waive the \$100 late fee assessed against Anne Crochet for her failure to timely file a lobbyist expenditure report

[Docket No. 13-1538](#)

Request that the Board waive the \$150 late fee assessed against Charles Kiernan Koenigerf or his failure to timely file a lobbyist expenditure report

G58. WAIVER REQUESTS - PERSONAL FINANCIAL DISCLOSURE

[Docket No. CHART](#)

December 2013 PFD Waiver Chart.

[Docket No. 13-822](#)

Waiver request submitted by John Landrum, member of the KIPP New Orleans Charter School Board, regarding a \$1,000 late fee assessed for filing his 2011 Tier 3 annual pfd 20 days late.

[Docket No. 13-956](#)

Waiver request submitted by Joseph Jason, a candidate for the Evangeline Parish Police Jury, regarding a \$1,500 late fee assessed for filing his 2010 Tier 3 candidate pfd 463 days late.

[Docket No. 13-1106](#)

Waiver request submitted by Michael Jones, former Mayor of Forest, regarding a \$1,500 late fee assessed for filing his amended 2010 Tier 3 annual pfd 243 days late and a \$1,500 late fee assessed for filing his amended 2011 Tier 3 annual pfd 243 days late.

[Docket No. 13-1156](#)

Waiver request submitted by Dr. Gerald Leglue, a member of the Louisiana Physical Therapy Board, regarding a \$1,500 late fee assessed for filing his 2010 Tier 2.1 annual pfd 242 days late.

[Docket No. 13-1160](#)

Waiver request submitted by Jeffery Rose, a St. Landry Parish Constable,

regarding a \$1,500 late fee for filing his amended 2009 Tier 3 annual pfd 556 days late.

[Docket No. 13-1191](#)

Waiver request submitted by Floyd Terrell, Sabine Parish constable, regarding a \$1,500 late fee assessed for filing his 2010 Tier 3 annual pfd 287 days late.

[Docket No. 13-1264](#)

Waiver request submitted by David Edwards, a candidate for Clerk of Court, City of Slidell, regarding a \$2,500 late fee assessed for filing his 2010 Tier 2 candidate pfd 550 days late.

[Docket No. 13-1269](#)

Waiver request submitted by Foster Campbell, Jr., a public service commissioner, regarding a \$2,500 late fee assessed for filing his 2011 Tier 2 annual pfd 44 days late.

[Docket No. 13-1365](#)

Waiver request submitted by Sherril S. Clifton, a member of the Workforce Investment Board, regarding a \$1500 late fee assessed for filing her 2010 Tier 2.1 Annual pfd 357 days late.

[Docket No. 13-1367](#)

Waiver request submitted by Keith Miller, a candidate for St. John the Baptist Parish Council, regarding a \$1500 late fee assessed for filing his 2010 Tier 3 Candidate pfd 590 days late.

[Docket No. 13-1374](#)

Waiver request submitted by Terance Irvin, member of the Gonzales City Council, regarding a \$2500 late fee assessed for filing his 2009 Tier 2 annual pfd 282 days late, \$2500 late fee assessed for amending his 2009 Tier 2 annual-amendment pfd 227 days late, \$2500 late fee assessed for amending his 2010 Tier 2 annual pfd-amendment 227 days late, and \$2500 late fee assessed for amending his 2011 Tier 2 annual-amendment pfd 227 days late.

[Docket No. 13-1375](#)

Waiver request submitted by Stephen Thomas Broussard, a member of the Mermentau River Harbor and Terminal District, regarding a \$1500 late fee assessed for filing his 2010 Tier 2.1 annual pfd 337 days late.

[Docket No. 13-1380](#)

Waiver request submitted by Rex McCarthy, a member of the Winnsboro City Council, regarding a \$1500 late fee assessed for filing his 2010 Tier 3 annual pfd 293 days late.

[Docket No. 13-1390](#)

Waiver request submitted by Laura Putnam, a member of the Board of Examiners of Certified Shorthand Reporters, regarding a \$1500 late fee assessed for filing her 2009 Tier 2.1 annual pfd 145 days late.

[Docket No. 13-1497](#)

Waiver request submitted by Alan Devon Clayborn, a member of the Ringgold Town Council, regarding a \$700 late fee assessed for filing his 2011 Tier 3 annual pfd 14 days late.

[Docket No. 13-1498](#)

Waiver request submitted by Thomas Dufrene, Jr., Stonewall Police Chief, regarding a \$1500 late fee for filing his 2011 Tier 3 pfd 154 days late.

[Docket No. 13-1502](#)

Waiver request submitted by Billy Merton Owens, a member of the Kilbourne Board of Aldermen, regarding a \$500 late fee assessed for filing his 2011 Tier 3 annual pfd 10 days late.

[Docket No. 13-1505](#)

Waiver request submitted by Robert W. Nuzum, a member of the Warren Easton Charter High School Board, regarding a \$150 late fee for filing his 2011 Tier 3 annual pfd 3 days late.

[Docket No. 13-1506](#)

Waiver request submitted by Senator Julie Quinn regarding a \$600 late fee assessed for filing her 2011 Tier 2 annual pfd amendment 6 days late.

[Docket No. 13-1531](#)

Waiver request submitted by Louise A. Landry-Kayser, a member of the Jefferson Parish Human Service Authority, regarding a \$800 late fee assessed for filing her 2009 Tier 2.1 annual pfd 16 days late.

[Docket No. 13-1533](#)

Waiver request submitted by Stewart Cathey, Jr., an unsuccessful candidate for the Ouachita Parish Police Jury, regarding a \$2500 late fee assessed for filing his 2010 Tier 2 Candidate pfd 614 days late.



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Executive Session

[Discussion in executive session of charges filed against Scott Fontenot and Fontenot and Associates.](#)

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GENERAL SUPPLEMENTAL

Consent Agenda, Consent Opinions
&
Items Requiring No Board Action

GS1. [Docket No. 13-1677](#)

Advisory opinion regarding whether David Gorbaty may accept the position of Chief Administrative Officer of St. Bernard Parish while his son, Nathan Gorbaty, serves as a member of the St. Bernard Parish Council.

GS2. [Docket No. 13-1678](#)

Advisory opinion request regarding whether the Tensas Parish Police Jury may contract with a company owned by John D. "Bubba" Wynn, an elected member of the Tensas Parish Police Jury.

GS3. [Docket No. 13-1679](#)

Advisory opinion request regarding whether the Financial Administrators for the Town of Richwood and the Town of Gibsland may enter into a cooperative endeavor agreement with the Louisiana Legislative Auditors Office (LLA).

Regular Business

GS4. [Docket No. 13-1549](#)

Advisory opinion request regarding the potential appointment of Athan Olivier to the board of Iberia Parish Hospital Service District No. 1, d/b/a Iberia Medical Center.

GS5. [Docket No. LEGISLA](#)

Consideration of a suggestions to propose legislation for consideration during the 2014 Regular Legislative Session.