



Louisiana Board of Ethics

**LaSalle Building
First Floor - Griffon Room
OCTOBER 18, 2012
1:00 PM
617 North 3rd Street
Baton Rouge, Louisiana**

Note: Meetings begin on October 18, 2012 and continue to October 19, 2012.

Executive Session

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

Louisiana Board of Ethics

**LaSalle Building
First Floor - LaBelle Room
OCTOBER 19, 2012
9:00 AM
617 North 3rd Street
Baton Rouge, Louisiana**

GENERAL

Appearances

- G1.** [Docket No. 10-585](#)
Reconsideration of the Board's order assessing a \$6,000 fine against Thomas Robichaux, a candidate for the office of Orleans Parish School Board member, District 7, in the May 1, 2010 election who failed to file an EDE-P and 10-G report in connection with the 2010 election.
- G2.** [Docket No. 12-1590](#)
Appearance in connection with an advisory opinion request regarding whether a

candidate may add a proviso on a report that states that the report is accurate to the best knowledge of the candidate.

G3. [Docket No. 12-1779](#)

Appearance in connection with a request for an advisory opinion regarding whether the Campaign Finance Disclosure Act prohibits a candidate from spending money from any campaign account for any office or only from the account from which the fine arises.

G4. [Docket No. 12-509](#)

Appearance regarding a reconsideration of a waiver request submitted by Romona Guillory regarding a \$1,500 late fee assessed for filing her 2009 Tier 2.1 annual pfd 291 days late.

G5. [Docket No. 12-1170](#)

Appearance in connection with a request for reconsideration of a waiver of a \$1,500 campaign finance late fee assessed against Barbara Norton, a candidate for State Representative, District 3, in the October 22, 2011 election, whose 40-G campaign finance disclosure report was filed 25 days late.

G6. [Docket No. 12-1436](#)

Appearance in connection with a waiver request submitted by Sterling Lejeune regarding a \$1,350 late fee assessed for filing his 2010 Tier 2.1 annual pfd 27 days late.

G7. [Docket No. 12-1664](#)

Appearance in connection with a request that the Board waive the \$1,000 and \$1,000 campaign finance late fees assessed against Gordon P. Mese, a candidate for Mayor-President of the City of Baton Rouge, in the November 6, 2012 election, whose Annual and 180-P campaign finance disclosure reports were filed 175 and 90 days late.

G8. [Docket No. 12-1665](#)

Appearance in connection with a request that the Board waive the \$1,200 campaign finance late fee assessed against Empower PAC, a political action committee, whose Monthly campaign finance disclosure report was filed 6 days late.

G9. [Docket No. 12-1668](#)

Appearance in connection with a request that the Board waive the \$1,400 campaign finance late fee assessed against Delta PAC, a political action committee, whose 90-P campaign finance disclosure report was filed 7 days late.

G10. [Docket No. 12-1669](#)

Appearance in connection with a request that the Board waive the \$2,500 campaign finance late fee assessed against Troy Henry, a candidate for Mayor of the City of New Orleans, in the February 6, 2010 election, whose Supplemental campaign finance disclosure report was filed 437 days late.

G11. [Docket No. 12-1723](#)

Appearance in connection with a request that the Board waive the \$600 campaign finance late fee assessed against Michael B. Durbin a candidate for Sheriff of Winn Parish, in the October 22, 2011 election, whose EDE-P campaign finance disclosure report was filed 311 days late.

Consent Agenda, Consent Opinions

&
Items Requiring No Board Action

- G12.** [Docket No. 12-575](#)
Advisory opinion as to whether Trent Forest may serve on the Tangipahoa Parish Drinking Water Protection Committee when decisions by the Committee may affect land owned by you and your immediate family members.
- G13.** [Docket No. 12-665](#)
Advisory opinion regarding Homer Sullivan a full time firefighter in Plain Dealing running for Mayor and remaining a Firefighter.
- G14.** [Docket No. 12-675](#)
Advisory opinion regarding whether William Hanrahan, a building inspector with the City of Gretna, may apply for and received a permit from the City of Gretna.
- G15.** [Docket No. 12-684](#)
Advisory opinion regarding whether Ms. Trudy Gosserand may become a contract employee with Northwestern State University (NSU) upon her retirement from the Department of Children and Family Services (DCFS).
- G16.** [Docket No. 12-710](#)
Advisory opinion request from Tanya McGee, a Department of Health and Hospitals employee who intends to apply for the Executive Director position of the Imperial Calcasieu Human Service Authority.
- G17.** [Docket No. 12-1415](#)
Advisory Opinion request from the District Attorney of the Eighteenth Judicial District, Mr. Richard J. Ward, Jr., as to whether an attorney may be employed with the District Attorney's Office when he co-owns a building with another attorney who has a criminal defense practice.
- G18.** [Docket No. 12-1419](#)
Advisory opinion request from Corliss Green, a contract worker with the Governor's Office of Elderly Affairs regarding the effects of post employment restrictions as well as whether or not she is required to take ethics training.
- G19.** [Docket No. 12-1430](#)
Advisory opinion regarding whether Shelley Anderson, a Lieutenant with the Bossier City Marshal's Office, may provide outside consulting services to private clients in civil matters.
- G20.** [Docket No. 12-1468](#)
Advisory opinion regarding post employment restrictions on George Wallace an employee of the Louisiana Department of Transportation and Development.
- G21.** [Docket No. 12-1489](#)
Consideration of an emergency opinion rendered on October 3, 2012 concerning the propriety of Ms. Carol Passmore accepting a position with The Rapides Foundation to oversee professional development in the 2012-2013 STEM/CTE Grant following her retirement from the Rapides Parish School District.
- G22.** [Docket No. 12-1546](#)
Advisory Opinion request regarding contracting restrictions on Ms. Bridgette Andrews, a sanitarian with the Louisiana Department of Health and Hospitals.

- G23.** [Docket No. 12-1547](#)
Advisory opinion Request from an employee of the Florida Parish Human Service Authority performing private consulting work.
- G24.** [Docket No. 12-1549](#)
Advisory opinion regarding whether Allen Brown, an officer with the St. James Parish Sheriff's office, may accept free rent from a newly constructed subdivision in exchange for private security services.
- G25.** [Docket No. 12-1552](#)
Advisory opinion regarding whether the former President Pro Tem for the Sewerage and Water Board of New Orleans (SWB), Tommie Vassel and his firm, may perform work for companies that have contracts with the SWB where his wife is employed as a Supervisor for the Disadvantage Business Department of the SWB.
- G26.** [Docket No. 12-1582](#)
Advisory opinion regarding whether the St. Tammany Fire Protection District #4 is required to request bids on an annual basis for the Annual health insurance options and the broker or sales representative to be used for health coverage.
- G27.** [Docket No. 12-1583](#)
Advisory opinion regarding Amy Martinez's service on an Advisory Board of the Lafourche Council on Aging, Inc. while she is employed with Entergy and the Council on Aging seeks a grant through Entergy.
- G28.** [Docket No. 12-1586](#)
Advisory opinion regarding whether Ronnie Vidrine may accept a promotion with the Department of Health and Hospitals that would put him in direct supervision of his former wife, Shelly Lavergne.
- G29.** [Docket No. 12-1588](#)
Advisory opinion regarding whether the spouse of the Mayor for the City of Walker, Penny Font, may enter into a contract with Livingston Parish Convention & Visitors Bureau while her husband serves as Mayor of Walker.
- G30.** [Docket No. 12-1591](#)
An advisory opinion request from Westlake Mayor Danny Cupit regarding the participation of councilmembers voting for a payraise.
- G31.** [Docket No. 12-1593](#)
Advisory opinion regarding whether Ms. Lisa Babin (a current employee of the West Baton Rouge Parish Water District No. 2) may be employed by the Utility Department for the West Baton Rouge Parish Council while Mr. Daryl Babin (Ms. Babin's husband's brother) is the director of the Utility Department.
- G32.** [Docket No. 12-1724](#)
Notice of disclosure statements filed with the Board during the month of September 2012.
- G33.** [Docket No. 12-1728](#)
Confirmation of an emergency advisory opinion regarding whether Denver Ballard may be employed with the Denham Springs City Fire Department at a time when his father serves as the Deputy Fire Chief.

Regular Business

G34. [Docket No. MINUTES](#)

September 2012 Board Minutes

G35. [Docket No. 12-868](#)

Reconsideration of a waiver request submitted by Paula McNabb regarding a \$1,500 late fee assessed for filing her 2010 Tier 3 candidate pfd 59 days late.

G36. [Docket No. 12-1043](#)

Draft declaratory opinion regarding the father of Brett Stassi, sheriff for Iberville Parish, continuing to write bail bonds for persons arrested by the Iberville Parish Sheriff's Office.

G37. [Docket No. 12-1578](#)

Request for an advisory opinion from Stacey Ashy of the Lafayette Parish School System, regarding whether it is the responsibility of the employees or the employer to ensure that the annual ethics training requirement is met once the employees have been notified of the annual requirement, and whose responsibility it is to keep the related supporting documentation.

G38. [Docket No. 12-1581](#)

Advisory opinion request regarding whether V.J. St. Pierre, Jr. may accept registration and financial assistance from Kijang County to attend the Kijang Forum for Safety and Prosperity with Nuclear Installations.

G39. [Docket No. 12-1612](#)

Advisory opinion request from Lecompte Mayor Gregory Clark regarding the promotion of an employee to the position of police chief.

G40. WAIVER REQUESTS - CAMPAIGN FINANCE

[Docket No. Chart](#)

October 2012 CF Waiver Chart

[Docket No. 12-1364](#)

Request that the Board waive the \$400, \$1,000, and \$1,000 campaign finance late fees assessed against Winston Roberts, a candidate for Grant Parish Police Juror, District 6, in the October 22, 2011 election, whose EDE-P, 10-G, and Supplemental campaign finance disclosure reports were filed 139, 131, and 131 days late.

[Docket No. 12-1499](#)

Request that the Board waive the \$420 campaign finance late fee assessed against Mike Pete Huval, a candidate for State Representative, District 46, in the April 2, 2011 election, whose Supplemental campaign finance disclosure report was filed 7 days late.

[Docket No. 12-1500](#)

Request that the Board waive the \$1,000 campaign finance late fee assessed against Victor W. Rogers, a candidate for Arcadia Chief of Police, in the October 2, 2010 election, whose Supplemental campaign finance disclosure report was filed 27 days late.

[Docket No. 12-1501](#)

Request that the Board waive the \$3,000, \$3,000, and \$3,000 campaign finance late fees assessed against Traits of Leadership, a political action committee, whose EDE-P, 10-G, and EDE-G campaign finance disclosure reports were filed

274, 237, and 252 days late.

[Docket No. 12-1666](#)

Request that the Board waive the \$600 campaign finance late fee assessed against Henry F. Heaton, a candidate for Assessor of Orleans Parish, in the April 22, 2006 election, whose Supplemental campaign finance disclosure report was filed 746 days late.

[Docket No. 12-1667](#)

Request that the Board waive the \$600 campaign finance late fee assessed against M. A. DeJohn, a candidate for Coroner of East Feliciana Parish, in the October 22, 2011 election, whose 30-P campaign finance disclosure report was filed 302 days late.

[Docket No. 12-1670](#)

Request that the Board waive the \$480 and \$600 campaign finance late fees assessed against Justin Codey Ingram, a candidate for Coroner of Catahoula Parish, in the October 22, 2011 election, whose EDE-P and 10-G campaign finance disclosure reports were filed 8 and 57 days late.

[Docket No. 12-1701](#)

Request that the Board waive the \$1,000 campaign finance late fee assessed against Tony Guirlando, a candidate for Ouachita Parish School Board, in the October 2, 2010 election, whose 10-G campaign finance disclosure report was filed 158 days late.

G41. WAIVER REQUESTS - LOBBYING

[Docket No. CHART](#)

October 2012 Lobbying Waiver Request Chart

[Docket No. 12-1716](#)

Request that the Board waive the \$300 late fee assessed against Linedda McIver for failure to timely a lobbyist expenditure report.

[Docket No. 12-1717](#)

Request that the Board waive the \$1050 late fee assessed against Rachel Farmer for failure to timely file a lobbyist registration report.

[Docket No. 12-1718](#)

Request that the Board waive the \$200 late fee assessed against Barbara Davis for failure to timely a lobbyist expenditure report.

[Docket No. 12-1719](#)

Request that the Board waive the \$50 late fee assessed against Don Redman for failure to timely a lobbyist expenditure report.

[Docket No. 12-1720](#)

Request that the Board waive the \$700 late fee assessed against Dan Robin for failure to timely file a lobbyist supplemental registration report.

[Docket No. 12-1721](#)

Request that the Board waive the \$150 late fee assessed against Elizabeth Harper for failure to timely a lobbyist expenditure report.

G42. WAIVER REQUESTS - PERSONAL FINANCIAL DISCLOSURE

[Docket No. CHART](#)

October 2012 PFD Waiver Chart.

[Docket No. 12-1120](#)

Waiver request submitted by Gerard Frey regarding a \$1,500 late fee assessed for filing his 2009 Tier 2.1 annual pfd 364 days late.

[Docket No. 12-1441](#)

Waiver request submitted by Chyrall August regarding a \$1,500 late fee assessed for filing his 2009 Tier 3 annual pfd 483 days late.

[Docket No. 12-1513](#)

Waiver request submitted by Dr. Brian Brogle regarding a \$2,500 late fee assessed for filing his amended 2009 Tier 2 annual pfd 581 days late.

[Docket No. 12-1540](#)

Waiver request submitted by Barbara Moore regarding a \$1,100 late fee assessed for filing her 2009 Tier 3 candidate pfd 22 days late.

[Docket No. 12-1589](#)

Waiver request submitted by James Donelon regarding a \$17,500 late fee assessed for filing his 2011 Tier 1 annual pfd 36 days late.

G43. WAIVER REQUESTS - HOSPITAL DISCLOSURE

[Docket No. 12-941](#)

Waiver request submitted by Robert Green, Jr. regarding a \$1,500 late fee assessed for filing his 2012 Hospital Disclosure Statement 92 days late.



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Executive Session

[Discussion in Executive session of charges issued against Charlotte Randolph.](#)

[Discussion in executive session of charges issued against Dean Everett.](#)

[Discussion in executive session of the following litigation: 1\) BD 2008-757 Scott Wilfong, et al. v. Board of Ethics, et al., 19th JDC Docket 598,702, Section 22; 2\) BD 2009-807, 10-190, and 11-297 Robert Marionneaux v. Louisiana Board of Ethics, 19th JDC Docket 603,273, Division D; 3\) BD 2010-398 Scott Fontenot, et al. v Board of Ethics, et al., Court of Appeal, First Circuit, Docket No. 2012-CA-0034; 4\) BD 2011-539 Board of Ethics v. River Birch, et al., 24th JDC Docket 715,012 Division F.](#)

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9:00 AM
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GENERAL SUPPLEMENTAL

Appearances

GS1. [Docket No. 12-1782](#)

Advisory opinion regarding whether members of the Louisiana Seafood Promotion and Marketing Board (LSPMB) may participate in a LSPMB trade show booth and whether it is a conflict of interest if LSPMB Board members inadvertently received a benefit from Distributor Promotions and Incentive Programs conducted by the Seafood Marketing Campaign Team.

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

GS2. [Docket No. 11-1788](#)

Request for advisory opinion from the former president of the West Feliciana Tourist Commission regarding a contract held by the Interim Director's husband.

GS3. [Docket No. 12-1408](#)

Advisory opinion regarding the continued service on the Neville High School Charter Committee by Joe Farr while he also serves as a member of the Louisiana Board of Regents.

GS4. [Docket No. 12-1548](#)

Request for an advisory opinion concerning: 1.) Whether a Kenner City Councilwoman, Ms. Maria C. DeFrancesch may own Section 8 property, and 2.) Whether the Director of Code Enforcement for the City of Kenner, Ms. Tamithia Shaw, may volunteer as a Hearing Officer at the Kenner Housing Authority (KHA) Grievance Hearings.

GS5. [Docket No. 12-1596](#)

Advisory opinion regarding whether Christine Faust may contract with North Lake Supports and Services Center through the Early Steps Program after it is privatized.

GS6. [Docket No. 12-1730](#)

Advisory opinion regarding whether a legal entity owned by a former member of the St. Landry Parish Economic and Industrial Development District may enter into a contract with SLEIDD to give SLEIDD an option to purchase land owned, in part, by the legal entity.

GS7. [Docket No. 12-483](#)

Request for an advisory opinion concerning whether mayoral candidate, Roland Boudreaux's wife may continue to participate in the Section 8 program by virtue of her ownership of a piece rental property if her husband is elected mayor of the City of Rayne.

Regular Business

GS8. [Docket No. RULES](#)

Proposed changes to the Rules for the Louisiana Board of Ethics concerning procedures for investigations and hearings.