

LOUISIANA BOARD OF ETHICS
MINUTES
May 18, 2018

The Board of Ethics met on May 18, 2018 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, Dittmer, Leggio, McAnelly, Meinert, Mouton-Allen, Roberts and Smith present. Absent were Board members Brandon and Lavastida. Also present were the Ethics Administrator, Kathleen Allen; the Executive Secretary, Deborah Grier; and Counsel Tracy Barker, David Bordelon, Jennifer Land, Suzanne Mooney, Brett Robinson, and Greg Thibodeaux.

The Board considered a request for reconsideration in Docket No. 16-603 for a waiver of the Board's suspension of all but \$450 of a \$1,500 late fee assessed against Vincent P. Borrello Jr., Board of Examiners of Certified Shorthand Reporters, for filing his 2014 Tier 2.1 Annual personal financial disclosure statement 108 days late. On motion made, seconded and unanimously passed, the Board continued the matter.

Board Member Brandon arrived at the meeting at 9:10 a.m.

Mr. John Mark Coghlan, a member of the Zachary City Council, District 3 in East Baton Rouge Parish, appeared before the Board in connection with a request for reconsideration in Docket No. 17-682 for a waiver of the \$1,500 late fee assessed against him for filing his 2015 Tier 3 Annual personal financial disclosure statement 94 days late. After hearing from Mr. Coghlan, on motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee but suspended \$1,300 conditioned upon future compliance with the reporting requirements under the Code of Governmental Ethics 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. Stephen Ortego, former State Representative, appeared before the Board in connection with a request for a waiver in Docket No. 17-1007 of the \$2,500 late fee assessed against him for filing his 2015 Tier 2 Annual personal financial disclosure statement 30 days late. After hearing from Mr. Ortego, on motion made, seconded and unanimously passed, the Board declined to waive the \$2,500 late fee but suspended \$1,500 conditioned upon future compliance with the reporting requirements under the Code of Governmental Ethics and also payment of the \$300 Campaign Finance Disclosure late fee and provided payment of both late fees is made within 30 days. If the payments are not received in 30 days, the full amount becomes due and owing.

Mr. David Opperman, attorney for East Feliciana Parish School Board member Tim Corcoran, appeared before the Board in connection with a request for an advisory opinion in Docket No. 17-1347 regarding Mr. Corcoran developing a sports park in Slaughter on property formerly owned by the East Feliciana Parish School Board. After hearing from Mr. Opperman, on motion made, seconded and unanimously passed, the Board concluded the following:

1. Whether Mr. Corcoran would be prohibited from entering into a lease agreement with a third party owner of the park once it is sold by the school board?

The Board concluded that Section 1113A(1)(a) of the Code of Governmental Ethics would prohibit Mr Corcoran, his immediate family members and a legal entity in which he has a controlling interest from entering into an agreement directly with the East Feliciana Parish School Board to develop the sports park while he is a member of the East Feliciana Parish School Board. However, the Code of Governmental Ethics would not prohibit Mr. Corcoran from entering into an agreement with a third party owner to develop the property as a sports park, provided that all ownership of

the property is transferred by the school board to a third party. The Board further concluded that Section 1117.1 of the Code of Governmental Ethics would prevent the third party owner from subsequently selling the property to Mr. Corcoran, his immediate family members or any legal entity in which he has controlling interest while he is a member of the East Feliciana Parish School Board as a means to circumvent the prohibitions in Section 1113A (1)(a) of the Code of Governmental Ethics. The Board also advised that Mr. Corcoran should request an additional advisory opinion in the event he has the option to purchase the property following his service as a member of the East Feliciana Parish School Board.

2. Whether he should recuse himself from voting on any possible sale of the property by the school board?

The Board concluded that generally, Mr. Corcoran would not be prohibited from participating in the vote to sell the property to a third party. Section 1112A of the Code of Governmental Ethics provides that no public servant shall participate in a transaction in which he has a substantial economic interest of which he may be reasonably expected to know involving the governmental entity. Since Mr. Corcoran does not have a substantial economic interest in the property at this time, he is not prohibited from voting on matters involving the property. The Board further advised that in the event Mr. Corcoran enters into a contractual relationship with the third party prior to the sale of the property, he would be prohibited from voting on matters where the third party has a substantial economic interest. Section 1112B(5) provides that no public servant shall participate in a transaction involving the governmental

entity in which, to his actual knowledge, any of the following persons has a substantial economic interest: any person who is a party to an existing contract with such public servant, or with any legal entity in which the public servant exercises control or owns an interest in excess of twenty five percent and who by reason thereof is in a position to affect directly the economic interest of such public servant. In the event Mr. Corcoran believes he is required to participate in a transaction that would result in a violation of the Code of Governmental Ethics, Section 1120 of the Code of Governmental Ethics provides that he shall recuse himself from voting but is not prohibited from participating in discussion and debate, provided that he makes the disclosure of his conflict or potential conflict a part of the record of his agency prior to his participation in the discussion or debate and prior to the vote that is the subject of discussion or debate.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 18-117 for a waiver of the \$500 late fee assessed against Morris W. Reed, a candidate for Judge, Civil District Court, Division J, Orleans Parish, in the October 14, 2017 election, for filing his 10-G campaign finance disclosure report 5 days late. On motion made, seconded and unanimously passed, the Board deferred the matter to the June meeting.

Mr. Craig Michael Marinello, a member of the Workforce Development Board Area #10, appeared before the Board in connection with a request in Docket No. 18-222 for a waiver of the \$1,500 late fee assessed against him for filing his 2015 Tier 2.1 Annual personal financial disclosure statement 139 days late. After hearing from Mr. Marinello, on motion made, seconded and unanimously passed, the Board waived the entire late fee.

Ms. Jon Iantha Don "Inki " Shaver, a former member of the Shreveport- Bossier Convention and Tourist Bureau, appeared before the Board in connection with a request in Docket No. 18-223 for a waiver of the \$1,500 late fee assessed against her for filing her 2015 Tier 2.1 Annual personal financial disclosure statement 182 days late. After hearing from Ms. Shaver, on motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee but suspended the entire late fee conditioned upon future compliance with the reporting requirements under the Code of Governmental Ethics.

Ms. Alesia Ardoin, attorney for St. Charles Parish Councilman Paul Hogan, appeared before the Board in connection with a request in Docket No. 18-035 to withdraw the request for an advisory opinion regarding Mr. Hogan bidding on property adjudicated by St. Charles Parish and auctioned by Civic Source. After hearing from Ms. Ardoin, on motion made, seconded and unanimously passed, the Board allowed the withdrawal of the request for an advisory opinion.

Mr. John Claiborne Brass, a former member of the Amite River Drainage and Water Conservation District, appeared before the Board in connection with a request in Docket No. 18-221 for a waiver of the \$1,500 late fee assessed against him for filing his 2015 Tier 2.1 Annual personal financial disclosure statement 174 days late. After hearing from Mr. Brass, on motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee but suspended the entire late fee conditioned upon future compliance with the reporting requirements under the Code of Governmental Ethics.

Mr. Wayne Glen Day, a former member of the St. Tammany Parish Sewerage District #2, appeared before the Board in connection with a request in Docket No. 18-225 for a waiver of the \$1,500 late fee assessed against him for filing his 2015 Tier 2.1 Annual personal financial disclosure

statement 147 days late. After hearing from Mr. Day, on motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee but suspended the entire late fee conditioned upon future compliance with the reporting requirements under the Code of Governmental Ethics.

The Board recessed at 10:37 a.m. and resumed back into general business session at 10:50 a.m.

The Board considered a request for an advisory opinion in Docket No. 18-148 from Robert Raymond, Director of Legal Services for St. Charles Parish, regarding the purchase of property between Paul J. Hogan, a member of the St. Charles Parish Council, and St. Charles Parish. On motion made, seconded and unanimously passed, the Board deferred the matter to the June meeting.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G11-G22 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-G22, excluding Item G15, taking the following action:

Adopted an advisory opinion in Docket No. 18-053 regarding post employment restrictions in connection with the employment of Ray A. Mumphrey, formerly employed as an Assistant Bridge Design Engineer Administrator with the Department of Transportation and Development (DOTD), Gang 004, by a consultant who may have a contract with DOTD concluding the following: (1) Section 1121A(1) of the Code of Governmental Ethics would prohibit Mr. Mumphrey from assisting another person, for compensation, in a transaction or in an appearance in connection with a transaction involving Gang 004 or rendering any service on a contractual basis to or for Gang 004, since he would have served as the Agency Head for Gang 004; (2) as the agency head for Gang 004,

the Code of Governmental Ethics would not prohibit Mr. Mumphrey from working as a consultant or for a consultant under contract with DOTD where the work would be associated with a Gang other than Gang 004. The Code of Governmental Ethics would only prohibit his assistance in connection with a transaction involving Gang 004 or in which he participated while employed and he would therefore be allowed to assist with matters outside of his former agency in which he did not participate; and, (3) the Code of Governmental Ethics would not prohibit Mr. Mumphrey from performing work as a consultant or working for a consultant under contract with a municipality or parish government, provided that the projects would have no connection with matters involving Gang 004.

Adopted an advisory opinion in Docket No. 18-109 concluding that no violation of the Code of Governmental Ethics is presented by ESTEEM Youth Programs, Inc., a non-profit corporation, owned by Sheila Ann Jordan, who is employed as a Family Lead with the Coordinated System of Care (CSoC) within the Louisiana Department of Health (LDH), becoming a service provider licensed by the LDH, since the licensing division of the LDH would supervise any licensing of ESTEEM and Ms. Jordan's agency, the CSoC, would not be involved in said licensing. Further, as a Coordinated System of Care provider, ESTEEM would be paid by Magellan Healthcare, Inc. and Ms. Jordan's agency, CSoC, would have no involvement in the funds paid to ESTEEM. Based on the facts as presented, neither Sheila Jordan or her company, ESTEEM would enter into a contract, subcontract or other transaction that is under the supervision or jurisdiction of her agency, CSoC. The Board further advised that while Ms. Jordan is not receiving compensations from ESTEEM, if she were to receive compensation in the future there might be a potential violation of Section 1111C(2)(d) of the Code of Governmental Ethics.

Adopted an advisory opinion in Docket No. 18-259 concluding that no violation of the Code of Governmental Ethics is presented by Deon Boudreaux, Port Barre Chief of Police, conducting concealed carry classes and charging a fee, since conducting concealed carry classes is not part of his responsibilities of the Port Barre Police Department. Additionally, Chief Boudreaux is acting in a private capacity using only private equipment and it does not appear that he is receiving a thing of economic value for the performance of his job duties or related to the programs and operations of his agency.

Adopted an advisory opinion in Docket No. 18-274 concluding that no violation of the Code of Governmental Ethics is presented by a company owned by Trina Brown, an employee of the Red River Parish School Board, and her husband contracting with the Red River Parish School Board to perform construction services, since Ms. Brown's agency, the Federal Programs Department, is not involved with the construction contract.

Adopted an advisory opinion in Docket No. 18-353 concluding that Section 1112B(5) of the Code of Governmental Ethics would prohibit Dr. Michael Cramer, East Feliciana Parish Coroner, from participating in the hiring of Steve Bice with the East Feliciana Parish Coroner's Office while Dr. Cramer currently leases an apartment from Mr. Bice and his wife, since he has an existing lease contract with Mr. Bice.

Adopted an advisory opinion in Docket No. 18-354 concluding that Section 1119A of the Code of Governmental Ethics would prohibit Ronald "Todd" Gibson, Chief of Police for the Town of Haughton, from hiring the son-in-law of Ricky Bridges, the current Assistant Chief of Police, since the position of the Assistant Chief of Police acts in the capacity as the chief administrative officer for the Haughton Police Department and Antonio Mims is considered an immediate family

member to the Assistant Chief.

Adopted an advisory opinion in Docket No. 18-355 concluding that no violation of the Code of Governmental Ethics is presented by David Hamer, AIA, an employee of Vermilion Architects, LLC, accepting complimentary travel and lodging expenses from the sponsor of an educational symposium in Colorado while his company contracts with the St. Martin Parish School Board to design several projects including football fields, since Mr. Hamer does not fall within the definition of a "public employee" under Section 1102(18) of the Code of Governmental Ethics.

Adopted an advisory opinion in Docket No. 18-373 regarding post employment restrictions in connection with John Rahm, an employee of the Office of Technology Services (OTS), accepting employment with a state contractor following his retirement from OTS, concluding that Section 1121B(1) of the Code of Governmental Ethics would prohibit Mr. Rahm, for a period of two years following his retirement, from assisting another person for compensation in connection with a transaction or procurement project in which he participated while employed by OTS. Section 1121B(1) of the Code of Governmental Ethics would also prohibit Mr. Rahm, as an employee of a third-party contractor to OTS, for a period of two years from his retirement, from rendering the same IT procurement services through a contract, directly or indirectly, to, for, or on behalf of OTS, Office of Operations, Vendor and Provider Management section, including providing procurement services to agencies with which he did not provide assistance while employed, and as a procurement services program manager contracted to OTS, Office of Operations, Vendor and Provider Management section. The Board further concluded that Mr. Rahm would not be prohibited from contracting with OTS to render services outside of those he rendered while employed by OTS. Section 1121B(1) of the Code of Governmental Ethics would not prohibit Mr. Rahm, as an employee of a third-party

contractor, from contracting directly with DOTD, DNR, DPS, or any other governmental entity or agency with which he was not employed to provide IT procurement services. Mr. Rahm's potential employer would not be prohibited by Section 1121C of the Code of Governmental Ethics from assisting OTS in transactions in which he did not participate while employed by OTS. Further, Mr. Rahm's potential employer would not be prohibited by Section 1121C of the Code of Governmental Ethics from assisting any other governmental entity with IT procurement services since a governmental entity is not a "person" within the definition of Section 1102(16) of the Code of Governmental Ethics.

Adopted an advisory opinion in Docket No. 18-375 concluding that Section 1113 of the Code of Governmental Ethics would prohibit the appointment of Todd Hopkins, an administrative assistant for the Caddo Parish Commission, to a position on the Board of Commissioners for the North Caddo Hospital Service District #1, since the transaction would be under the supervision or jurisdiction of his own agency.

Adopted an advisory opinion in Docket No. 18-376 concluding that Section 1113A of the Code of Governmental Ethics would prohibit J-Tech Solutions from providing IT services to the Bogalusa Police Department while the owner, Anthony Jones, is employed with the Bogalusa Police Department.

Adopted an advisory opinion in Docket No. 18-471 concluding that no violation of the Code of Governmental Ethics is presented by Sharon Guardina, formerly employed as a Medical Certification Specialist II in the Health Standards Section (HSS) of the Louisiana Department of Health (LDH), working as a consultant with hospital facilities and other ambulatory surgical centers so long as she did not participate in the transactions while employed by HSS within LDH as a

Medical Certification Specialist II.

Adopted an advisory opinion in Docket No. 18-278 concluding that, based on the facts as presented, no violation of the Code of Governmental Ethics is presented by Jeannie Moctezuma continuing her employment with Columbia University Teachers College if she accepts a position with the Louisiana Department of Education (DOE).

In connection with an Answer submitted in Docket No. 17-132 by Kyle Carmouche, a member of the Children's Charter School Board-East Baton Rouge Parish, in response to the receipt of a Notice of Delinquency requesting that he file his 2015 and 2016 Tier 3 Annual personal financial disclosure statements, instructed the staff to advise Mr. Carmouche that he was not required to file the 2015 and 2016 Tier 3 Annual personal financial disclosure statements, since his term ended in 2014.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G24-G27 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 G24-G27 taking the following action:

In connection with an Answer submitted in Docket No. 18-108 by Sandra Monroe, a former member of the Friends of King Charter School Board, in response to the receipt of a Notice of Delinquency requesting that she file her 2016 Tier 3 Annual personal financial disclosure statement, instructed the staff to advise Ms. Monroe that she was required to file a 2016 Tier 3 Annual personal financial disclosure statement on or before May 15, 2017, since she did not resign until June 29, 2016 and that failure to file may result in the assessment of late fees.

In connection with an Answer submitted in Docket No. 18-216 by Rayfield Palmer, Jr., a former member of the Northshore Charter School Board, in response to a Notice of Delinquency requesting that he file his 2016 Tier 3 Annual personal financial disclosure statement, instructed the staff to advise Mr. Palmer that he was required to file a 2016 Tier 3 Annual personal financial disclosure statement on or before May 15, 2017, if his service ended in June 2016 and that failure to file may result in the assessment of late fees.

In connection with an Answer submitted in Docket No. 18-268 by Rebecca Marchiafava, a former member of the Baton Rouge University Preparatory Charter School Board, in response to the receipt of a Notice of Delinquency requesting that she file her 2015 and 2016 Tier 3 Annual personal financial disclosure statements, instructed the staff to advise Ms. Marchiafava that she was required to file the 2015 and 2016 Tier 3 Annual personal financial disclosure statements, since she resigned in 2016 and that failure to file may result in the assessment of late fees.

In connection with an Answer submitted in Docket No. 18-269 by Amy Knowler, a member of the ReNew Charter School Board, in response to the receipt of a Notice of Delinquency requesting that she file her 2016 Tier 3 Annual personal financial disclosure statement, instructed the staff to advise Ms. Knowler that it was her 2015 Annual personal financial disclosure statement that was filed on May 11, 2016 and she is required to file a 2016 Tier 3 Annual personal financial disclosure statement which was due by May 15, 2017 and that failure to file may result in the assessment of late fees.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the April 19-20, 2018 meetings.

The Board considered a proposed consent opinion in Docket No. 13-108 regarding Jason Doyle, a Baker Police officer, compelling parents of D.A.R.E. program students to provide him with cash donations. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion in which Jason Doyle, while serving as a police officer for the Baker City Police Department and head of the D.A.R.E. program, agrees that (1) a violation of Section 1111A of the Code of Governmental Ethics occurred by virtue of his receipt of things of economic value from parents of D.A.R.E. program students, of which he was not duly entitled to receive, for the performance of the duties and responsibilities of his office or position; and, (2) a violation of Section 1116 of the Code of Governmental Ethics occurred by virtue of the use of his office or position, in a manner intended to compel or coerce the parents of D.A.R.E. program students, to provide himself with things of economic value and in which no civil penalty is to be imposed. The Board further dismissed the charges against Jason Doyle pending before the Ethics Adjudicatory Board (EAB).

The Board considered proposed consent opinions in Docket No. 14-763 regarding the spouse of Sandra “Jeannie” Black, a member of the City of Kenner Council, providing compensated services to Hartman Engineering at a time when Hartman Engineering has a contract with the City of Kenner. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinions in which (1) Hartman Engineering, Inc., at a time when it had a contractual, or other business, or financial relationship with the City of Kenner, agrees that a violation of Sections 1111C(2)(d) and 1117 of the Code of Governmental Ethics occurred by paying Gerard Black \$113,722.90 for services rendered in St. Bernard Parish which was deemed to bestow a thing of economic value upon Mr. Black’s wife, Sandra “Jeannie” Black, a member of the City of Kenner

Council, and in which Hartman Engineering, Inc. agrees to pay a fine of \$2,000 and that in the event of a failure to pay, the Board may file suit to compel immediate payment of any balance due; and, (2) Sandra “Jeannie” Black, while serving as a member of the Kenner City Council, agrees that a violation of Section 1111C(2)(d) occurred by receiving a thing of economic value through the compensation received by her husband, Gerard Black, from Hartman Engineering, Inc. for services rendered to Hartman Engineering, Inc. at a time when Hartman Engineering, Inc. had a contractual, or other business or financial relationship with the City of Kenner and in which Ms. Black agrees to pay a fine of \$2,000 and that in the event of a failure to pay, the Board may file suit to compel immediate payment of any balance due. The Board further dismissed the charges against Sandra “Jeannie” Black and Hartman Engineering, Inc.

The Board considered a request for an advisory opinion in Docket No. 18-372 regarding whether public employees of the Town of Golden Meadow, Lafourche Parish, may participate in the installation of a sewerage line from their property to the town system at no charge. On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by the public employees of the Town of Golden Meadow and their immediate family members executing the Agreement for Free Service Line and participating in a “no charge” sewerage connection program, since the execution of the Agreement for Free Service Line is merely ministerial and would not result in public employees violating the Code of Governmental Ethics.

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, excluding Docket Nos. 18-015, 18-357, 18-369 and 18-370 taking the following action:

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

Docket No. 18-352 from Lucretia P. Pecantte of a \$600 late fee;
Docket No. 18-356 from Nicholas Hunter of a \$360 late fee; and,
Docket No. 18-371 from Victor J. Woods, Jr. of a \$540 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 16-1197 for a waiver of the \$2,500 and \$900 late fees assessed against Michael Betts, a candidate for District Judge, 21st Judicial District Court, Division A, Livingston Parish, in the November 4, 2014 election; his committee's chairperson, Lamar Davis; and, treasurer, Laurie Kilpatrick, for filing the 2015 and 2016 Supplemental campaign finance disclosure reports 374 and 9 days late. On motion made, seconded and unanimously passed, the Board (1) declined to waive the \$2,500 late fee in connection with the 2015 Supplemental campaign finance disclosure report but suspended \$2,200 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; and, (2) rescinded the \$900 late fee in connection with the 2015 Supplemental campaign finance disclosure report, since he was not required to file that report.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 17-1150 for a waiver of the two (2) \$1,000 late fees assessed against Christopher Archinard, a candidate for City of Lake Charles Council, District A, in the

March 25, 2017 election, for filing the 10-P and 10-G campaign finance disclosure reports 387 and 352 days late. On motion made, seconded and unanimously passed, the Board declined to waive the two (2) \$1,000 late fees but suspended the late fees 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. 18-368 for a waiver of the \$600 late fee assessed against Warren C. Pourciau, a candidate for State Representative, District 18, in the October 23, 1999 election, for filing the 2017 Supplemental campaign finance disclosure report 11 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$600 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. 18-381 for a waiver of the \$240 late fee assessed against Ellis A. Alexander, Sr., a candidate for St. Charles Parish School Board, District 1, in the November 4, 2014 election, for filing the 2017 Supplemental campaign finance disclosure report 6 days late. On motion made, seconded and unanimously passed, the Board rescinded the \$240 late fee based on Rule 1205B.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 18-382 for a waiver of the \$1,400 late fee assessed against Dale N. Atkins, a candidate for Clerk, Civil District Court, Orleans Parish in the February 1, 2014 election, for filing the 2017 Supplemental campaign finance disclosure report 14 days late. On motion made, seconded and unanimously passed, the Board rescinded the \$1,400 late fee, since an amendment to the 180-P campaign finance disclosure report for the 10/14/17 election was filed

indicating that the surplus funds from the 2/1/14 election were carried forward making the 2017 Supplemental campaign finance disclosure report not required to be filed.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 18-383 for a waiver of the \$600 late fee assessed against Clint Jason Cointment, a candidate for Ascension Parish President in the October 24, 2015 election, for filing the 2017 Supplemental campaign finance disclosure report 16 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$600 late fee but suspended \$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. 18-015 for a waiver of the \$300 late fee assessed against Toyia Washington-Kendrick, a candidate for Orleans Parish Council, District A, in the October 14, 2017 election, for filing the 30-P campaign finance disclosure report 5 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$300 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 18-357 for a waiver of the \$440 late fee assessed against David Merlin Duke, a candidate for City Prosecutor, City of Bogalusa, in the November 4, 2014 election, for filing the 2017 Supplemental campaign finance disclosure report 11 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$440 late fee. Board Member Dittmer recused himself.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board

considered a request in Docket No. 18-369 for a waiver of the \$320 late fee assessed against Rose Wilson McCulloch, a candidate for City of Shreveport Council, District A, in the November 4, 2014 election, for filing the 2017 Supplemental campaign finance disclosure report 8 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$320 late fee. Board Members Brandon and Smith recused themselves.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 18-370 for a waiver of the \$240 late fee assessed against Tonya S. Lurry, a candidate for District Judge, 18th JDC, Pointe Coupee and West Baton Rouge Parishes, in the March 24, 2018 election; her committee's chairperson, Jamie E. Fontenot; and, treasurer, Donovan Dugas, for filing the 2017 Annual campaign finance disclosure report 4 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$240 late fee but suspended the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act.

The Board considered a request in Docket No. 18-272 for a waiver of the \$1,500 late fee assessed against Eric Basinger for filing his 2018 lobbying registration 33 days late. On motion made, seconded and unanimously passed, the Board waived the \$1,500 late fee, since it was Mr. Basinger's first late filing.

The Board considered a request in Docket No. 18-273 for a waiver of the \$750 late fee assessed against John Kay, Jr. for filing his 2018 lobbying registration 15 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$750 late fee.

The Board unanimously agreed to take action on the requests for "good cause" waivers of late fees assessed against individuals contained in the Personal Financial Disclosure 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 Personal Financial Disclosure waiver chart, excluding Docket Nos. 18-221 and 18-225 which were appearances taken up earlier during the meeting, taking the following action:

The Board considered a request in Docket No. 18-217 for a waiver of the \$1,500 late fee assessed against James Raymond Fryoux, a former member of the Port of South Louisiana Commission, for filing his 2015 Tier 2.1 Annual personal financial disclosure statement 180 days late. On motion made, seconded and unanimously passed, the Board waived the late fee, since Ms. Fryoux submitted supporting information regarding her husband's medical condition and since Mr. Fryoux is no longer a member of the Commission.

The Board considered a request in Docket No. 18-218 for a waiver of the \$1,500 late fee assessed against Susan Kraus McNeil, a former member of the First Planning District - Workforce Development Board, for filing her 2015 Tier 2.1 Annual personal financial disclosure statement 157 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee but suspended \$850 conditioned upon future compliance with the reporting requirements under the Code of Governmental Ethics and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

The Board considered a request in Docket No. 18-219 for a waiver of the \$1,500 late fee assessed against Helena R. Cunningham, with the Capital Area Finance Authority, for filing her 2015 Tier 2.1 Annual personal financial disclosure statement 520 days late. On motion made, seconded and unanimously passed, the Board declined to waive the late fee.

The Board considered a request in Docket No. 18-220 for a waiver of the \$1,500 late fee assessed against Andy Galliano, a former member of the Grand Isle Port Commission, for filing his 2015 Tier 2.1 Annual personal financial disclosure statement 195 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee but suspended the entire late fee conditioned upon future compliance with the reporting requirements under the Code of Governmental Ethics.

The Board considered a request in Docket No. 18-224 for a waiver of two (2) \$1,500 late fees assessed against Claire T. Daly, a former member of the Acadiana Area Human Services District, for filing her 2013 and 2014 Tier 2.1 Annual personal financial disclosure statements 90 days late. On motion made, seconded and unanimously passed, the Board waived both of the \$1,500 late fees, since Ms. Daly did not receive the Notices of Delinquency.

The Board considered a request in Docket No. 18-226 for a waiver of the \$250 late fee assessed against Donovan Archote, with the Orleans Parish Communications District, for filing his amended 2016 Tier 2.1 Annual personal financial disclosure statement 5 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$250 late fee but suspended the entire late fee conditioned upon future compliance with the reporting requirements under the Code of Governmental Ethics.

The Board considered a request in Docket No. 18-257 for a waiver of the \$1,500 late fee assessed against Bonnie M. Crockett, a member of the Columbia Town Council, Caldwell Parish, for filing her 2016 Tier 3 Annual personal financial disclosure statement 114 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee but suspended \$1,100 conditioned upon future compliance with the reporting requirements under the

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

The Board considered a request in Docket No. 18-258 for a waiver of the \$250 late fee assessed against Jack P. McCain Jr., with the Natchitoches Parish Communications District, for filing his 2016 Tier 2.1 Annual personal financial disclosure statement 5 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$250 late fee but suspended the entire late fee conditioned upon future compliance with the reporting requirements under the Code of Governmental Ethics.

The Board considered a request in Docket No. 18-267 for a waiver of the \$1,500 late fee assessed against Cynthia C. Simms, with the Baton Rouge Charter Academy, for filing her amended 2014 Tier 3 Annual personal financial disclosure statement 262 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee but suspended \$450 conditioned upon future compliance with the reporting requirements under the Code of Governmental Ethics and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

The Board considered a request for reconsideration in Docket No. 17-479 for a waiver of the \$1,500 late fee assessed against Lasonya Pearson, a former member of the Montgomery Town Council, Grant Parish, for filing her amended 2014 Tier 3 Annual personal financial disclosure statement 91 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee but suspended the entire late fee conditioned upon future compliance with the reporting requirements under the Code of Governmental Ethics.

Ms. Allen presented an update with respect to legislative actions taken during the 2018

Regular Legislative Session which will affect the laws administered by the Board of Ethics, including the Code of Governmental Ethics, the Campaign Finance Disclosure Act, and the Legislative, Executive and Local Lobbying Disclosure Acts.

Ms. Allen also provided the Board with a status update with respect to House Bill 1 and the possible effects on the Ethics Administration Program. She presented a draft of a letter which would be addressed to legislative leadership and the governor detailing the impacts of the proposed cut on the agency. Following discussion, the Board instructed Ms. Allen not to send the proposed letter.

Ms. Allen further advised the Board of the decision rendered by the Ethics Adjudicatory Board with respect to the Donald Villere case in Docket No. 10-176 dismissing the charges.

The Board unanimously adjourned at 12:55 p.m.

Secretary

APPROVED:

Chairman

