STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS
P. O. BOX 4368
BATON ROUGE, LA 70821
(225) 219-5600
FAX: (225) 381-7271
1-800-842-6630
www.ethics.la.gov

August 14, 2019

Division of Administrative Law
1020 Florida Street
Baton Rouge, Louisiana 70802
VIA SHAREPOINT

Re: In the Matter of REECO Rental and Supply, Inc.
Agency Tracking No. 2018-757B

Dear LaKeisha:

Please see the attached *Charges* on behalf of the Louisiana Board of Ethics to be filed in the referenced matter.

Sincerely,

LOUISIANA BOARD OF ETHICS

Tracy M. Barker
Deputy General Counsel

Attachment

cc: REECO Rental and Supply, Inc. (Certified mail #70180360000076691413)

STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW

LOUISIANA BOARD OF ETHICS	*	
	*	
	*	**DOCKET NO.**
	*	
IN THE MATTER OF	*	
	*	
REECO RENTAL AND SUPPLY, INC.	*	**AGENCY TRACKING NO. 2018-757B**

CHARGES

The Louisiana Board of Ethics voted on August 13, 2019 to and does hereby file the following charge:

Facts

1.

On December 4, 2007, the Council for the City of Thiboduax created the Thibodaux Volunteer Fire Department under Ordinance No. 2365.

2.

Ron Bourgeois was appointed by the Thibodaux City Council to the position of Thibodaux Volunteer Fire Department Board Member on February 18, 2014, February 19, 2015, May 3, 2016, February 21, 2017, February 6, 2018 and February 19, 2019. Mr. Bourgeois currently serves as a Board Member of the Thibodaux Volunteer Fire Department and served as a Board Member of the Thibodaux Volunteer Fire Department at all pertinent times herein.

3.

REECO Rental and Supply, Inc. is a Thibodaux based business that rents tools and construction equipment; provides repairs and services to small engines; and, sells tools, equipment and hardware.

4.

REECO Rental and Supply, Inc. sells items and rents equipment to the Thibodaux Volunteer Fire Department on an as needed basis.

5.

Ron Bourgeois owns a 20% interest in REECO Rental and Supply, Inc. and serves as the President of REECO Rental and Supply, Inc. and has at all times pertinent herein.

6.

Ron Bourgeois earned $114,389.44 in 2014, $112,038.54 in 2015, $121,750.01 in 2016, $117,902.88 in 2017, and $128,093.19 in 2018 from REECO Rental and Supply, Inc. for services rendered to REECO Rental and Supply, Inc.

7.

The following is a list of invoices REECO Rental and Supply, Inc. sent to the Thibodaux Volunteer Fire Department for payment beginning on September 12, 2014 through July 31, 2018 for a total amount of $39,534.00.

Invoice	Invoice Date	Invoice Amount
332118	September 12, 2014	$19.04
333330	October 10, 2014	$19.04
333423	October 13, 2014	$11.16
334623	November 7, 2014	$19.04
335405	November 30, 2014	$27.92
335750	December 5, 2014	$9.00
335726	December 5, 2014	$19.04
336817	January 5, 2015	$19.04
337867	January 30, 2015	$19.04
338224	February 7, 2015	$126.73
339006	February 27, 2015	$19.04
339232	March 11, 2015	$6.02
340212	March 27, 2015	$19.04
341130	April 16, 2015	$22.25
341453	April 25, 2015	$27.60
341419	May 6, 2015	$6056.89
342859	May 22, 2015	$9.00
342553	May 29, 2015	$112.93
343849	June 12, 2015	$19.22
346348	August 1, 2015	$64.35
346447	August 4, 2015	$70.95
346977	August 14, 2015	$20.54
347313	August 21, 2015	$39.97
347167	August 25, 2015	$33.88
347746	August 31, 2015	$65.14
349207	September 30, 2015	$22.30

350703	October 30, 2015	$431.26
351798	November 23, 2015	$32.64
352695	December 15, 2015	$52.65
352823	December 17, 2015	$48.37
353272	December 31, 2015	$6.25
353589	January 9, 2016	$76.09
353710	January 12, 2016	$134.13
354883	February 10, 2016	$22.88
354529	February 26, 2016	$80.61
355738	February 29, 2016	$30.07
356038	March 4, 2016	$317.91
355918	March 8, 2016	$414.29
357017	March 28, 2016	$185.81
357541	April 6, 2016	$870.47
358243	April 22, 2016	$60.40
358229	April 30, 2016	$7525.93
361973	July 13, 2016	$10.59
363142	August 9, 2016	$318.39
363559	August 19, 2016	-$93.04
363793	August 24, 2016	$17.40
363845	August 25, 2016	$2.77
364037	August 30, 2016	$18.24
364709	September 15, 2016	$10.78
364919	September 22, 2016	$10.59
367421	November 17, 2016	$21.23
367414	November 30, 2016	$20.75
368168	December 7, 2016	$960.00
368572	December 17, 2016	$45.00
368582	December 27, 2016	$122.44
368945	December 28, 2016	$11.43
368967	December 29, 2016	$45.00
368862	January 5, 2017	$36.82
369392	January 11, 2017	$31.17
370587	February 10, 2017	$18.90
370783	February 15, 2017	$126.30
370648	February 16, 2017	$71.28
370862	February 28, 2017	$2208.50
371597	March 6, 2017	$60.04
371857	March 10, 2017	$103.66
372045	March 15, 2017	$53.26
372151	March 17, 2017	$523.22

372211	March 18, 2017	$30.07
372693	March 28, 2017	$18.74
372738	March 29, 2017	$47.31
372774	March 30, 2017	$247.53
373316	April 10, 2017	$17.40
373793	April 21, 2017	$18.84
373213	April 28, 2017	$240.18
374159	April 29, 2017	$135.43
374137	May 3, 2017	$500.34
374144	May 10, 2017	$6654.17
375071	May 19, 2017	$27.56
375389	May 26, 2017	$47.90
374268	May 31, 2017	$764.52
375784	June 6, 2017	$90.72
377800	July 19, 2017	$44.47
378119	July 25, 2017	$39.99
378605	August 3, 2017	$2.58
378842	August 8, 2017	$60.83
378907	August 10, 2017	$117.53
378962	August 11, 2017	$71.64
379667	August 24, 2017	$63.71
379707	August 25, 2017	$31.85
379022	August 31, 2017	$18.18
380247	September 8, 2017	$20.23
380393	September 11, 2017	$195.78
380583	September 14, 2017	$32.47
381096	September 25, 2017	$148.43
381286	September 28, 2017	$39.38
381412	September 30, 2017	$20.78
381737	October 6, 2017	$32.91
381407	October 30, 2017	$253.24
385422	January 10, 2018	$41.26
385641	January 17, 2018	$10.32
386124	January 30, 2018	$15.20
386245	February 1, 2018	$11.15
387238	February 27, 2018	$0.00
388158	March 22, 2018	$63.07
387101	March 28, 2018	$315.06
388800	March 29, 2018	$33.35
389897	April 23, 2018	$25.55
389250	May 9, 2018	$5840.48

389760	May 11, 2018	$60.27
391367	May 22, 2018	$26.63
392589	June 15, 2018	$180.02
392761	June 20, 2018	$33.32

393633	July 10, 2018	$331.00
394179	July 25, 2018	$99.88
394586	July 31, 2018	$78.12

8.

The following is a list of payments for rentals, repairs, and hardware from the Thibodaux Volunteer Fire Department to REECO Rental and Supply, Inc. from August 18, 2014 through August 15, 2018 for a total amount of $44,089.17.

Check #	Transaction Date	Check Amount
6399	August 18, 2014	$25.49
6415	September 17, 2014	$25.49
4079	September 17, 2014	$63.69
6427	October 13, 2014	$25.49
6440	November 19, 2014	$41.41
6454	December 17, 2014	$25.49
4112	December 17, 2014	$38.72
6474	January 15, 2015	$25.49
4120	January 15, 2015	$14.86
6491	February 18, 2015	$50.98
6511	March 18, 2015	$227.27
6528	April 16, 2015	$56.90
6553	May 19, 2015	$7,164.30
4168	June 17, 2015	$185.95
6592	July 15, 2015	$13.77
4179	July 15, 2015	$14.88
6620	September 16, 2015	$516.05
6638	October 13, 2015	$126.57
6653	November 9, 2015	$560.26
4220	December 16, 2015	$47.87
4229	January 19, 2016	$149.39
6700	February 16, 2016	$399.55

6720	March 16, 2016	$163.66
4244	March 16, 2016	$74.47
6752	April 18, 2016	$1,356.58
6779	May 17, 2016	$10,473.96
6851	August 16, 2016	$15.03
6868	September 14, 2016	$396.23
6886	October 18, 2016	$31.14
6918	December 13, 2016	$71.75
6945	January 18, 2017	$1,569.88
4321	January 18, 2017	$201.91
4330	February 15, 2017	$201.23
1016	March 15, 2017	$312.68
1049	April 18, 2017	$4,288.92
1014	April 18, 2017	$549.86
1074	May 17, 2017	$764.52
426	May 15, 2017	$8,256.50
1101	June 13, 2017	$710.57
1128	July 17, 2017	$1,226.76
1145	August 17, 2017	$144.82
1159	September 19, 2017	$600.29
1202	November 13, 2017	$530.35
1269	February 9, 2018	$114.52
1288	March 13, 2018	$16.11
1309	April 17, 2018	$646.04
1341	May 16, 2018	$53.71
1359	June 19, 2018	$439.93

1395	July 23, 2018	$290.08
1413	August 15, 2018	$355.14

1127	August 15, 2018	$432.66

9.

The following is a list of donated services, repairs, items or delivery charges from REECO Rental and Supply, Inc. that were not billed to the TVFD from December 10, 2014 through August 16, 2018 for a total amount of $16,315.00.

Invoice #	Invoice Date	Charge Not Billed	Delivery Charge Not Billed
335953	December 10, 2014	$60.00	
335953	December 10, 2014	$20.00	
335953	December 10, 2014	$20.00	
339390	March 6, 2015	$4,380.00	$90.00
342264	May 11, 2015	$315.00	$90.00
342265	May 11, 2015	$520.00	
342265	May 11, 2015	$240.00	
342265	May 11, 2015	$120.00	
342266	5/.1.1/2015	$225.00	
342266	May 11, 2015	$320.00	
342266	May 11, 2015	$600.00	$90.00
342267	May 11, 2015	$96.00	
358352	April 25, 2016	$60.00	
358958	May 9, 2016	$64.00	
359839	May 27, 2016	$315.00	$90.00
359839	May 27, 2016	$320.00	
359839	May 27, 2016	$600.00	
364764	September 17, 2016	$174.00	$90.00
364765	September 17, 2016	$25.00	
364765	September 17, 2016	$25.00	$90.00
373468	April 13, 2017	$525.00	$90.00
373574	April 18, 2017	$6.00	
373574	April 18, 2017	$240.00	
374661	May 10, 2017	$320.00	$90.00
374662	May 10, 2017	$750.00	$90.00
374662	May 10, 2017	$1,095.00	$90.00
374811	May 15, 2017	$375.00	$90.00
378972	August 11, 2017	$15.00	
378972	August 11, 2017	$5.00	
387238	February 27, 2018	$600.00	$90.00
387468	March 2, 2018	$15.00	
387468	March 2, 2018	$5.00	

389135	April 6, 2018	$525.00	$90.00
391512	May 24, 2018	$1,500.00	$90.00
392636	June 18, 2018	$175.00	
395367	August 16, 2018	$315.00	$90.00

10.

Ron Bourgeois is responsible for the day to day operations of REECO Rental and Supply, Inc.

Laws

11.

La. R.S. 42:1117 provides with respect to illegal payments:

No public servant or other person shall give, pay, loan, transfer, or deliver or offer to give, pay, loan, transfer, or deliver, directly or indirectly, to any public servant or other person any thing of economic value which such public servant or other person would be prohibited from receiving by any provision of this Part.

La. R.S. 42:1113B provides with respect to prohibited transactions:

B. No appointed member of any board or commission, member of his immediate family, or a legal entity in which he has a substantial economic interest, shall bid on or enter into or be in any way interested in any contract, subcontract, or other transaction which is under the supervision or jurisdiction of the agency of such appointed member.

La. R.S. 42:1111C(2)(d) provides with respect to payments from nonpublic sources:

C.(2) No public servant and no legal entity in which the public servant exercises control or owns an interest in excess of twenty-five percent, shall receive any thing of economic value for or in consideration of services rendered, or to be rendered, to or for any person during his public service unless such services are:

(d) Neither performed for nor compensated by any person from whom such public servant would be prohibited by R.S. 42:1115(A)(1) or (B) from receiving a gift.

La. R.S. 42:1115 provides with respect to gifts:

A. No public servant shall solicit or accept, directly or indirectly, any thing of economic value as a gift or gratuity from any person or from any officer, director, agent, or employee of such person, if such public servant knows or reasonably should know that such person:

(1) Has or is seeking to obtain contractual or other business or financial relationships with the public servant's agency."

* * * *

B. No public employee shall solicit or accept, directly or indirectly, any thing of economic value as a gift or gratuity from any person or from any officer, director, agent, or employee of such person, if such public servant knows or reasonably should know that such person:

(1) Conducts operations or activities which are regulated by the public employee's agency.

(2) Has substantial economic interests which may be substantially affected by the performance or nonperformance of the public employee's official duty.

La. R.S. 42:1153 provides with respect to penalties:

B. Upon finding that any public employee or other person has violated any provision of any law within the jurisdiction of the Board of Ethics..., the Ethics Adjudicatory Board may remove, suspend, or order a reduction in pay, or demotion of the public employee or other person, or impose a fine of not more than ten thousand dollars, or both.

La. R.S. 42:1155 provides with respect to penalties:

A. If an investigation conducted pursuant to this Part reveals that any public servant or other person has violated any law within the jurisdiction of the Board of Ethics to his economic advantage, and after an adjudicatory hearing on the matter, the Ethics Adjudicatory Board may order the payment of penalties. Recovery may include, in addition to an amount equal to such economic advantage, penalties not to exceed one half of the amount of the economic advantage.

Conclusion

12.

Based on the foregoing facts, REECO Rental and Supply, Inc. violated La. R.S. 42:1117 by paying Ron Bourgeois any thing of economic value for services rendered to REECO Rental and Supply, Inc. at a time when Ron Bourgeois was prohibited from receiving such economic value pursuant to La. R.S. 42:1113B and La. R.S. 42:1111C(2)(d).

13.

Based on the foregoing facts, REECO Rental and Supply, Inc., of which Ron Bourgeois owns a 20% ownership interest and for which he is responsible for the day to day operations, violated La. R.S. 42:1113B by entering into and being in any way interested in transactions under the supervision and jurisdiction of the Thibodaux Volunteer Fire Department involving the Thibodaux Volunteer Fire Department and REECO Rental and Supply, Inc. when Ron Bourgeois was serving as a member of the Thibodaux Volunteer Fire Department Board.

14.

In accordance with La. R.S. 42:1141C(3)(b)(iv), the Board designates Tracy M. Barker, LaToya Jordan and David Bordelon as the Board's trial attorneys in this matter.

WHEREFORE, the Louisiana Board of Ethics requests that the Ethics Adjudicatory Board (a) conduct a hearing on the foregoing charges; (b) determine that REECO Rental and Supply, Inc. has violated La. R.S. 42:1113B and La. R.S. 42:1117 with respect to the forgoing counts; and, (c) assess appropriate penalties in accordance with the recommendation of the Louisiana Board of Ethics to be submitted at the hearing.

Dr. Louis W. Leggio
Vice-Chair, Louisiana Board of Ethics
P.O. Box 4368
Baton Rouge, LA 70821
Telephone: (225) 219-5600
Facsimile: (225) 381-7271

CERTIFICATE:

I hereby certify that a copy of this document has been forwarded to the Respondent, REECO Rental and Supply, Inc., by registered/certified mail in accordance with La. R.S. 42:1141E(1)(a), on this 14th day of August, 2019.

REECO Rental and Supply, Inc.
Through its Agent for Service of Process:
Bryan Talbot
301 Main Project Road
Schriever, Louisiana 70395

Tracy M. Barker
Trial Attorney