

Minutes of Jefferson Parish Ethics and Compliance Commission
Wednesday, August 21, 2019
2nd Floor Council Chambers
Joseph S. Yenni Building
1221 Elmwood Park Boulevard
Jefferson, LA 70123

Commission Members Present

Warren R. Bourgeois, III
Laura Donnaway
Dolores Hall
Sandra Joseph
Howard Maestri

Commission Members Absent

None

Call Commission Meeting to order

Meeting called to order by Vice Chairman Bourgeois at 5:00 P.M. Roll call. Quorum is constituted.

Vice-Chairman Bourgeois welcomes newest Commissioner, Laura Donnaway.

Nomination of New Chairman

MOTION by Commissioner Bourgeois to nominate Commissioner Howard Maestri as ECC Board Chairman. **MOTION SECONDED** by Commissioner Hall. The motion was voted upon and **PASSED** without opposition or abstention.

Amendment of Agenda

MOTION by Commissioner Bourgeois to amend agenda order to allow former ECC Chairman Carroll W. Suggs to address the Commissioners. **MOTION SECONDED** by Commissioner Donnaway. The motion was voted upon and **PASSED** without opposition or abstention.

Former ECC Chairman Carroll W. Suggs addresses the Commissioners. Chairman Maestri thanks Mrs. Suggs for her service and dedication to the ECC.

1st Assistant Inspector General Kim Chatelain and Inspector General David McClintock separately address the ECC regarding Mrs. Suggs service as Chairman of the ECC.

Review and Approval of Minutes

MOTION by Commissioner Hall to approve the minutes of the July 17, 2019 meeting.
MOTION SECONDED by Commissioner Bourgeois. The motion was voted upon and **PASSED** without opposition or abstention.

Public Hearing

None

Report of Inspector General

1. Personnel Department – Determination of Eligibility

Special Agent Jeff Adolph presents the investigative report regarding Personnel Department-Determination of Eligibility. Mr. Adolph and IG McClintock field questions from ECC Counsel Jerry Sullivan and the Commissioners regarding various aspects of the findings and corrective action plan.

2. GNO, Inc.

IG McClintock reports the JPOIG has had numerous productive meetings with the Administration and the Council regarding this audit. He reports a corrective action plan has not been achieved yet.

3. Reports

IG McClintock reports there is an investigative report out in draft with responses due on September 6, 2019. There is a follow up report in process on the 2014-0029 Constables and Justices of the Peace. He reports an additional investigative report and an audit on security contracting are in progress.

4. Budget

IG McClintock presents the 2020 JPOIG/ECC shared budget proposal to the Commissioners for approval.

5. Premium Pay

IG McClintock reports he had numerous meetings with Administration, department heads and the Personnel Board regarding the follow up Premium Pay report during the draft phase. Maria Rose, Jefferson Parish IT Supervisor, states they are testing a new timekeeping feature that will allow the Parish to capture and track on-call pay and stand by pay. She states the Parish hopes to implement the changes in the upcoming weeks. Commissioner Hall questions the IG on the implications of job classification changes and how that may affect premium pay.

6. Legal Cases Status

Kim Chatelain updates the Commission on the legal status of Go Graphics vs. JPOIG. Ms. Chatelain reports she is scheduled to attend a hearing in October regarding this case. In Mark Spears vs. the JPOIG, Ms. Chatelain reports the action to compel Mark Spears to cooperate with the subpoena issued by the court was met with an adverse ruling by the district court. She has filed timely a writ to the 5th Circuit Court of Appeals and a notice of appeal.

Parish President Yenni Addresses the Commission

Parish President Yenni states he has asked for Executive Session to discuss certain matters regarding Inspector General McClintock. Parish President Yenni apologizes to Mrs. Suggs regarding the lack of notification of her status on the ECC Board. He comments on various points of the Premium Pay report.

ECC Counsel, Jerry Sullivan, addresses the request for Executive Session regarding the Inspector General. The Inspector General declines Executive Session and requests the issues be discussed in the public forum.

Parish President Yenni expresses concern of the spending of the Office of Inspector General. He asks the Commission to investigate the spending of the JPOIG in regards to the two leases executed since the inception of the JPOIG and build-out costs associated with these leases.

Mr. Sullivan asks Parish President Yenni questions about cost allocation to a department for use of Parish property. The Finance Director answers on behalf of Parish President Yenni from the audience but is not introduced. Mr. Sullivan asks Parish President Yenni if he is aware of lease revocation clauses and language that may be used in other Parish leases. The issue is discussed between 1st Assistant Chatelain, IG McClintock, Mr. Sullivan, Parish President Yenni and Parish Attorney David Courcelle.

Commissioner Hall comments that due to the nature of the job of the Inspector General, she prefers the JPOIG to be totally separate and independent of the Parish.

IG McClintock responds to Parish President Yenni's comments. Commissioner Bourgeois asks questions regarding JPOIG spending. The issue is discussed between Mr. Sullivan and Parish President Yenni.

Parish President Yenni concludes his comments by announcing that he would be determining whether the Inspector General violated state bid law. Parish President Yenni announces that he was making a change to the Office of Inspector General policies regarding unfettered email access, but that the Inspector General will have other processes to access email. Parish President Yenni announces his intent to conduct an investigation into the Office of Inspector General. ECC

Counsel, Jerry Sullivan, questions Parish President Yenni regarding changes in policy and results of any investigations. Parish President Yenni responds. Further, Parish President Yenni announces that he will withhold from the Office of Inspector General any document related to the active investigation into the JPOIG by the Parish President.

IG McClintock comments on the policy change announced by Parish President Yenni. 1st Assistant Inspector General Kim Chatelain also comments on Parish President Yenni's proposed changes to policy.

ECC Counsel, Jerry Sullivan, questions Parish President Yenni. Mr. Sullivan comments and expresses concerns regarding issues of confidentiality as it relates to the proposed policy changes by Parish President Yenni and that it may violate state laws. IG McClintock provides additional comments. Commissioner Hall also comments on Parish President Yenni's announced change in policy relating to Inspector General access.

Parish Attorney David Courcelle comments on issues discussed. ECC Counsel, Jerry Sullivan, questions Mr. Courcelle about Parish business being conducted on private emails. Mr. Courcelle makes additional comments. IG McClintock adds final comments. There is an agreement that the policy change by Parish President Yenni will not be implemented without further discussion.

ECC Counsel, Jerry Sullivan, discusses having an ECC liaison appointed by the ECC who can meet with the Parish Administration and convey information back to the ECC. Mr. Sullivan conveys to Parish President Yenni his concerns regarding an inadvertent violation of open meetings laws had ECC members met with the Parish President in individual meetings as Parish President Yenni had previously requested. Mr. Sullivan states the ECC will address appointing one member of the ECC as a liaison between the Commission and the Parish Administration at the very next ECC meeting.

Appointment of ECC members to look into Parish President Yenni's concerns

MOTION by Commissioner Bourgeois to appoint two members of the ECC to look into President Yenni's concerns in detail. **MOTION SECONDED** by Commissioner Joseph. The motion was voted upon and **PASSED** without opposition or abstention.

The ECC selects Commissioners Hall and Bourgeois to look into President Yenni's concerns in detail.

Resolutions

Resolution 39 – A resolution regarding the Dedicated Service of Commissioner Carroll W. Suggs. **MOTION** by Commissioner Bourgeois to approve. **MOTION SECONDED** by

Commissioner Hall. The motion was voted upon and **PASSED** unanimously, without opposition or abstention.

Resolution 40 – A resolution acknowledging receipt and approval of the budget prepared by the Jefferson Parish Office of Inspector General for the allocation and sharing of the special tax levied for the operations of Office of Inspector General and Ethics and Compliance Commission. **MOTION** by Commissioner Bourgeois to approve. **MOTION SECONDED** by Commissioner Hall. The motion was voted upon and **PASSED** unanimously, without opposition or abstention.

New Business

None

Next Meeting Date

The next regular meeting is September 18, 2019.

Adjournment

MOTION by Commissioner Donnaway to adjourn. **MOTION SECONDED** by Commissioner Bourgeois. The motion was voted upon and **PASSED** without opposition or abstention.

MEETING ADJOURNED