

SETTLEMENT AGREEMENT

This agreement made and entered into between the Executive Branch Ethics Commission (hereinafter the “Commission”) and George “Doug” Begley.

WHEREAS, this agreement involves the matter styled *Executive Branch Ethics Commission v. George “Doug” Begley*, Case No. 13-004;

WHEREAS, the Commission is designated by statute as the agency responsible for enforcing the Executive Branch Code of Ethics, KRS Chapter 11A;

WHEREAS, on March 18, 2013, the Commission alleged facts in an Initiating Order that George “Doug” Begley violated the Executive Branch Code of Ethics at 11A.020(1)(b), (c), and (d), KRS 11A.020(2), and KRS 11A.040(10);

WHEREAS, George “Doug” Begley was at all relevant times mentioned in the Initiating Order a “public servant” as defined in KRS 11A.010(9) and thus subject to the Executive Branch Code of Ethics; and

WHEREAS, George “Doug” Begley indicates his desire to resolve all issues in this action by the execution of a Settlement Agreement.

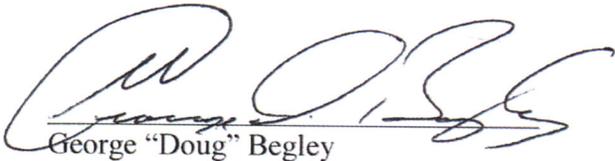
NOW, THEREFORE, in settlement of the above allegations, the Commission and George “Doug” Begley agree, pursuant to KRS 11A.100, as follows:

1. George “Doug” Begley admits that he committed violations of the Executive Branch Code of Ethics at 11A.020(1)(b), (c), and (d), and KRS 11A.020(2), as stated in Counts I, II, III, and V in Appendix A to the Commission’s Initiating Order of March 18, 2013, attached hereto and incorporated by reference herein.
2. The Commission withdraws Count IV as stated in Appendix A to the Commission’s Initiating Order of March 18, 2013.
3. George “Doug” Begley agrees to pay the Commission a civil penalty of six thousand five hundred dollars (\$6,500.00) on or before June 28, 2013.
4. George “Doug” Begley agrees to cooperate fully with the Commission in any further investigations and will submit complete, accurate, and truthful interviews and provide complete, accurate, and truthful testimony in any Commission proceedings in which he may be called as a witness.
5. George “Doug” Begley agrees that upon a Final Order being issued by the Commission that he waives all rights to any further administrative process or appeal pursuant to KRS 13B.140 thereon.

6. The parties further agree that the acceptance of this Settlement Agreement by both parties, and the fulfillment of its express terms, is in full accord and satisfaction of the herein referenced *Executive Branch Ethics Commission v. George "Doug" Begley*, Agency Case No. 13-004.

7. This Settlement Agreement constitutes a public reprimand to George "Doug" Begley, a copy of which will be provided to his former appointing authority pursuant to KRS 11A.100(3)(c).

IN WITNESS THEREOF, the parties have caused this agreement to be executed:

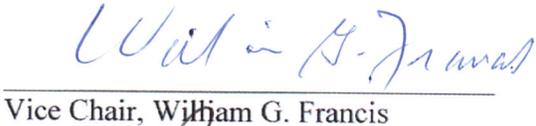

George "Doug" Begley

May 16th, 2013
Date

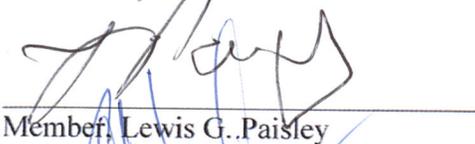
EXECUTIVE BRANCH ETHICS COMMISSION:


Chair, William David Denton

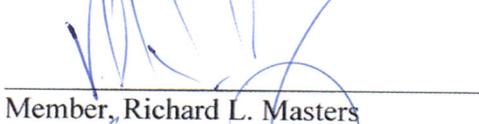
5.20.13
Date


Vice Chair, William G. Francis

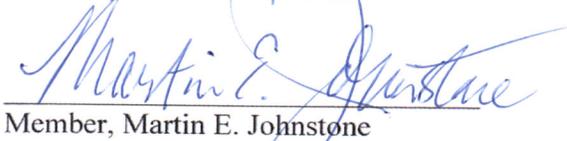
5.20.13
Date


Member, Lewis G. Paisley

5/20/13
Date


Member, Richard L. Masters

5-20-13
Date


Member, Martin E. Johnstone

5/20/13
Date

**APPENDIX A
CASE NO. 13-04
INITIATING ORDER**

ALLEGATION OF VIOLATIONS

The Respondent, George “Doug” Begley, was at all relevant times an employee of the Commonwealth of Kentucky, serving in the Department of Agriculture. As such, the Respondent was subject to the jurisdiction of the Commission. KRS 11A.010(9)(h).

During the course of its preliminary investigation, the Commission found probable cause to believe that George “Doug” Begley committed the following violations:

COUNT I

George “Doug” Begley, during his course of employment as Agricultural Inspector I, Office of Consumer and Environmental Protection, Department of Agriculture, used or attempted to use any means to influence a public agency in derogation of the state at large, used his official position to obtain financial gain for himself, and to secure or create privileges, exemptions, advantages, or treatment for himself in derogation of the public interest at large.

Specifically, during the course of his employment with the Department, Begley was assigned the duties of inspecting amusement rides, for which he was given a weekly itinerary. While Begley consistently failed to perform these inspections, he nevertheless claimed work time on his timesheets for time spent allegedly performing the inspections. In doing so, Begley collected pay for time he falsely reported on his timesheets and, further, failed to fulfill his assigned job duties while receiving compensation.

These facts constitute violations of KRS 11A.020(1)(b), (c), and (d).

KRS 11A.020(1)(b)(c) and (d) provide:

- (1) No public servant, by himself or through others, shall knowingly:

- (b) Use or attempt to use any means to influence a public agency in derogation of the state at large;
- (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
- (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

COUNT II

George "Doug" Begley, during his course of employment as Agricultural Inspector I, Office of Consumer and Environmental Protection, Department of Agriculture, used or attempted to use any means to influence a public agency in derogation of the state at large, used his official position to obtain financial gain for himself, and to secure or create privileges, exemptions, advantages, or treatment for himself in derogation of the public interest at large.

Specifically, during the course of his employment with the Department, Begley used his assigned state vehicle on days that he did not claim work time and did not perform any work-related activities for the Department. In doing so, Begley abused a state resource that was assigned to him for his own personal benefit.

These facts constitute violations of KRS 11A.020(1)(b), (c), and (d).

KRS 11A.020(1)(b)(c) and (d) provide:

- (1) No public servant, by himself or through others, shall knowingly:
 - ***
 - (b) Use or attempt to use any means to influence a public agency in derogation of the state at large;
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

COUNT III

George “Doug” Begley, during his course of employment as Agricultural Inspector I, Office of Consumer and Environmental Protection, Department of Agriculture, used or attempted to use any means to influence a public agency in derogation of the state at large, used his official position to obtain financial gain for himself, and to secure or create privileges, exemptions, advantages, or treatment for himself in derogation of the public interest at large.

Specifically, during the course of his employment with the Department, Begley, while on state time and while using his assigned state vehicle, performed activities relating to his private logging business. In doing so, Begley abused state time and resources that were assigned to him.

These facts constitute violations of KRS 11A.020(1)(b), (c), and (d).

KRS 11A.020(1)(b)(c) and (d) provide:

- (1) No public servant, by himself or through others, shall knowingly:

 - (b) Use or attempt to use any means to influence a public agency in derogation of the state at large;
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

COUNT IV

George “Doug” Begley, during his course of employment as Agricultural Inspector I, Office of Consumer and Environmental Protection, Department of Agriculture, used or attempted to use any means to influence a public agency in derogation of the state at large, used his official position to obtain financial gain for himself, and to secure or create privileges, exemptions, advantages, or treatment for himself in derogation of the public interest at large, and failed to notify his appointing authority of his outside employment.

Specifically, during the course of his employment with the Department, Begley maintained a private logging business about which he not only failed to inform the Department, but falsely denied to the Department that he was involved in any outside employment activities whatsoever.

These facts constitute violations of KRS 11A.020(1)(b), (c), and (d) and KRS 11A.040(10).

KRS 11A.020(1)(b)(c) and (d) provide:

- (1) No public servant, by himself or through others, shall knowingly:

 - (b) Use or attempt to use any means to influence a public agency in derogation of the state at large;
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family;
or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

KRS 11A.040(10) provides:

- (10) Without the approval of his appointing authority, a public servant shall not accept outside employment from any person or business that does business with or is regulated by the state agency for which the public servant works or which he supervises, unless the outside employer's relationship with the state agency is limited to the receipt of entitlement funds.

COUNT V

George "Doug" Begley, during his course of employment as Agricultural Inspector I, Office of Consumer and Environmental Protection, Department of Agriculture, used or attempted to use any means to influence a public agency in derogation of the state at large, used his official position to obtain financial gain for himself, and to secure or create privileges, exemptions, advantages, or treatment for himself in derogation of the public interest at large; and failed to avoid all conduct which might in any way lead members of the general public to conclude that he

is using his official position to further his professional or private interest.

Specifically, during the course of his employment with the Department, Begley attempted to use his official position as a means to avoid a citation from the Department of Forestry for logging activities being conducted by his private business over which he was fraudulently acting as the onsite Master Logger, while on state time and using his assigned state vehicle.

These facts constitute violations of KRS 11A.020(1)(b), (c), and (d) and KRS 11A.020(2).

KRS 11A.020(1)(b)(c) and (d) provide:

- (1) No public servant, by himself or through others, shall knowingly:

 - (b) Use or attempt to use any means to influence a public agency in derogation of the state at large;
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family;
or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

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