

To:
ALABAMA ETHICS COMMISSION

Attn. Mr. Hugh Evan III, Chief Council.

"Senator's company awarded \$639,000.00
while he supervised Grants for boom work"

Connie Baggett
Press Register, Nov. 20, 2010

Copied to:

Governor Robert Bentley, Attn:
Chief of Staff, Judge Charles Malone

State of Alabama Attorney General,
Luther Strange, Attn: Timothy
Fuhrman, Chief Investigator

Baldwin District Attorney,
Hallie Dixon

Representative Jo Bonner

Senator Jeff Sessions

Senator Richard Shelby

Alabama Emergency Management,
Agency Director, Art Faulkner, Attn:
General Counsel Brian Prescott

Mobile Office of the FBI

U.S. Attorney General, Eric Holder

BP Fraud Division

Birmingham News, Bob Carlton

Mobile Press Register, Editor

Fairhope Courier, Editor

New York Times, Michael Cooper

Wall Street Journal

Huffington Post,
Georgianne Nienaber

CNN News, Anderson Cooper

Fox News, "Follow the Money"

Attorney Marion "Tut" Wynne

Attorney Adam Milam

January 16, 2011

This complaint centers on Senator Lee "Trip" Pittman and Baldwin County Commissioner Bob James, Mr. Pittman's business partner and political cohort.

Mr. Pittman's abuse of the BP Grant, and failure to properly represent the citizens he was appointed to assist, goes hand-in-hand with Mr. James' conduct as a Baldwin County Commissioner.

Citizen Activists helped prepare this document. We reported this to Fairhope officials, to no avail.

Please investigate the ethics as well as the possible criminality in the complaint.

The Fairhope City council could have protected its citizens and avoided this complaint had they simply not done business with a public official. One must ask how a mayor, city council, public works, city purchasing agent and city administrator (BP Incident Commander) allowed this to happen.

I am at your disposal.

A handwritten signature in black ink, appearing to read "F. Paul Ripp". The signature is written in a cursive, somewhat stylized font.

F. Paul Ripp

Table of Contents

	Page Number (s)
Complaint Submitted by F. Paul Ripp	1-3
Councilman, City of Fairhope, Rick Kingrea	4-5
Mr. Don White, Letter plus <i>Attachments</i>	6-39
Addendum	40
Dr. Chris Warner "Fairhope's Biggest Political Story in 2010, 2011"	41
Documents	42-92
Newspaper Articles	93-117
F. Paul Ripp – Original Complaint	118-129
Contacts	130

Submitted by F. Paul Ripp

Documents provided will show that Senator Lee "Trip" Pittman used his position and advanced knowledge to secure contracts with the cities of Fairhope and Perdido Beach. He did so in the midst of a tragedy that claimed eleven lives.

It is also abundantly clear that he suppressed valuable information provided him by a vendor trying to legitimately bid on contracts. He was appointed by Governor Bob Riley on May 8, 2010 to oversee the dispersal of the funds and to assist communities. Instead, he harbored information for his own financial gain.

Senator Pittman further manipulated Fairhope contract documents beginning on May 3rd and May 8th, in an effort to secure an advanced commitment from the City of Fairhope. This occurred on the very day, May 8th that he was appointed by Governor Riley.

The senator actually received approximately \$606,000 from the Fairhope General Fund, prior to the BP funds' availability, without any legal or ethical opinion from the Fairhope City Attorney, Mr. Marion "Tut" Wynne.

Mr. Pittman was warned on May 8th by Baldwin County employees and County Commissioner Skip Gruber, that his proposal to do business with the City of Fairhope was unethical. He proceeded nonetheless, and submitted a second proposal, the same day, with Oil Recovery being the contractor and his company, Pittman Tractor, not included. This proposal was accepted for the grant as Oil Recovery.

The same county employees—the ones who raised red flags about Pittman's unethical proposal—were summarily fired by the new County Commission as a favor to newly-elected Commissioner Bob James—Trip Pittman's business partner. Mr. James and Mr. Pittman are in the debris removal business together. Mr. Bob James is also a principal, along with Mr. Pittman, in Renaissance LLC. Please see Mr. Michael Thompson's attached statement. Mr. Thompson was formerly an administrator for Baldwin County.

By May 11, 2010 the boom was being deployed and by May 20th 25,000 feet had been deployed in Fairhope. At this time no contract had been signed. This did not happen until the June 4, 2010 special meeting, which was held in the morning. (The Fairhope City Council always meets in the evenings every other Monday). The proposal contained the same content, Pittman Tractor as the contractor and Oil Recovery as a sub-contractor. This proposal was denied by Michael Thompson of the County and was/is contrary to the authorized grant application.

A requirement of the City of Fairhope was a general contractor's license, which legally should have prevented Senator Pittman from bidding on the contract. Mr. Pittman has no such license. This should have also prevented him from sub-contracting. Please remember that Oil Recovery—NOT Pittman Tractor—was approved for the grant.

On June 4, 2010 the Fairhope City Council approved the proposed contract to Pittman Tractor, which violated the submitted grant application listing Oil Recovery as the primary contractor.

The Incident Commander and acting city administrator Greg Mims, Purchasing Manager Dan Ames and Mayor Tim Kant never told the Fairhope City Council about the county's position, nor the fact that the grant was in the contractor's name of Oil Recovery Co., Inc. of Alabama.

On May 10, 2010 Pittman Tractor submitted an invoice (#061010) to the City of Fairhope for \$372,165.90. All or part of this money represents work completed prior to the June 4th contract, in mid-May. This payment again violated the grant requirements. The invoice lists the ticket number dating the same date of the contract. The ticket dates, locations, feet and amounts raise many questions.

The Mayor of Fairhope Tim Kant assisted the Senator with a dubious letter dated May 8 that was used with both proposals. Further, the Fairhope Finance Committee was circumvented because it was allegedly deemed "an emergency situation." Again, the city attorney was not consulted.

The Mayor of Fairhope did not inform any of the city council or the city clerk with the information or documents related to the proposals of May 8th. Equally troubling is the containment and absorbent boom.

Mr. Pittman had competitor's information from Mr. Don White that was emailed to him on May 10, 2010. This happened only two days after Mr. Pittman was appointed by Governor Riley to assist communities during the disaster. Mr. Pittman withheld this information from Mr. White, and never informed him (the vendor) that he was a state senator.

Mr. Don White provided the same information, plus demonstrations and his tax identification number to the Fairhope Purchasing Department. He was informed that he was on the bid list.

The facts support that the bid procedure was moot, and in reality was only an "after the fact" exercise to satisfy the ill-informed and of course, the grant specifications.

The bid or proposal was pre-determined for Pittman Tractor as early as May 3rd and reinforced May 8th. Further, the boom warrants an investigation of its own. All the boom supplied was not new. Some was rented, some supplied by Oil Recovery, some rejected, some damaged. Boom was duplicated in deployment and even moved around to give the appearance of being more than what existed. Also, areas were overlapped in jurisdiction and while the Oil Recovery base of operations was in a "secure" area of Point Clear, far from the Fairhope City limits.

Follow the money. Follow the boom.

May I suggest contacting SG&S, Mr. Jessie Jay Graddick, a boom manufacturer in Loxley. Mr. Pittman purchased approximately 10,000 feet from SG&S. Where did he acquire the rest of the boom he purportedly laid for Fairhope?

Mr. Graddick suggests he was shut out of the bid process in Bay Minette, Fairhope and Perdido Beach. In fact, he points out that the county was given anchors and 156,000 feet of boom. This material was sold for .40 per foot. SG&S would have paid \$5.00 per foot. However, no one called a local manufacturer employing up to 200 people. The salvage sale saturated the market, which damaged the manufacturer's ability to compete.

Mr. Pittman also sold boom to Perdido Beach for \$98,000. Attorney William Moore was contacted by your office about the details surround this contract as well as those of Perdido Beach council persons. Please see the attached related news articles.

Last but certainly not least is Renaissance, LLC. Mr. Pittman and Mr. James are principals in Renaissance, LLC. Renaissance is a conflict of interest on many levels. The senator and commissioner both vote on matters that affect their Renaissance, LLC business. This is highly unethical.

The documents and newspapers attached in this submittal paint a vivid picture of grant manipulation, unethical behavior, fraud, collusion and a massive betrayal of the public trust.

On a positive note many people did do the right thing in order to maintain the public trust. Mr. Skip Gruber, a county commissioner, became the only commissioner representing the people at this juncture.

County employees who tried to stop the grant manipulation lost their jobs or were demoted. The county lost the cream of the crop—some of their best employees, as an unfortunate result. They are missed and the big loser is the taxpayer.

The newspaper reporters who exposed unbiased facts while maintaining professionalism are to be commended. A special thanks goes out to Mike Odom of the Fairhope Courier and Connie Baggett of the Mobile Press Register.

Also, thank you to citizens like Chris Warner, Laurie DuBose, Don White, Dick Bensman and William Moore, just to name a few. All of these people stood up and did the right thing.

Now let's see the authorities do their job and enforce the laws.

A handwritten signature in black ink, appearing to read 'F. Paul Ripp', with a long horizontal flourish extending to the right.

F. Paul Ripp



Fw: [FWD: Possible Problem in Fairhope]

1 message

Rick Kingrea <rickkingrea@yahoo.com>
To: fpripp1@gmail.com

Wed, Jan 12, 2011 at 2:10 PM

Paul,

Here is the very plain vanilla request I sent to Luther Strange today.

Call if you have questions.

Regards,
Rick

--- On Wed, 1/12/11, rick@pdkmediators.com <rick@pdkmediators.com> wrote:

From: rick@pdkmediators.com <rick@pdkmediators.com>
Subject: [FWD: Possible Problem in Fairhope]
To: rickkingrea@yahoo.com
Date: Wednesday, January 12, 2011, 9:47 PM

----- Original Message -----
Subject: Possible Problem in Fairhope
From: <rick@pdkmediators.com>
Date: Wed, January 12, 2011 2:45 pm
To: "Luther Strange" <lutherstrange@me.com>

----- Original Message -----
Subject: strange email
From: <deb@pdkmediators.com>
Date: Wed, January 12, 2011 2:26 pm
To: "Rick Kingrea" <Rick@PDKMediators.com>

Luther,

First of all, congratulations on becoming the next A-G. I know you will do a great job.

Just to get you prepared for four (4) years of bliss (i.e. requests and rantings from friends and neighbors), there's a possible problem brewing on the Eastern Shore of Mobile Bay and I need your direction as to the appropriate person in your office to handle this matter.

Several citizen-activists have gathered information (documentts, possible witness testimony, etc), which they believe "prove," at the least, an ethical violation by a