



## Ethics Commission Meeting Agenda

210 Brooks Street, Suite 300  
Charleston, WV 25301

**November 7, 2013**  
**10:00 a.m.**

1. Approve Minutes of **October 3, 2013 Meeting (Chairperson Morton)**
2. Next meeting dates:  
**December 12, 2013** or at a date and time to be determined by the Commission  
**January, 2014 meeting canceled**
3. Recap of Previous Month (**Ms. Parker**)
4. Advisory Opinion Requests

**AO 2013-29 (Ms. Parker/Mr. Hubbard) Requester seeks reconsideration of answer to question # 2**

A **County Floodplain Manager**, who is also the County Surveyor, and who owns a private surveying company and land, and whose father owns land and mineral rights, poses three questions:

1. Is there a conflict between being the County Surveyor and being employed part-time by the County Commission as the County Floodplain Manager?

2. Is there a conflict for the County Floodplain Manager to perform private land surveys which designate whether an area is in a floodplain?
3. Is it a conflict for the County Floodplain Manager to perform Floodplain Manager duties when natural gas companies submit applications to work in the designated floodplain?

**AO 2013-45 (Ms. Weber)**

A **Municipality** asks whether its Police Officers may participate in a program with a local restaurant wherein the Police Officers would hand out reward coupons to private citizens for performing good deeds.

**AO 2013-46 (Ms. Weber)**

A **Municipality** asks whether its elected officials or employees may solicit donations of gift certificates from local restaurants to present as gifts to private citizen volunteers.

**AO 2013-49 (Ms. Parker/Mr. Visnic)**

A **City Chief of Police** asks if either the Police Department or the City may seek and/or accept funds from a private foundation established by a local businessperson for the sole support of the Police Department.

**AO 2013-50 (Mr. Hubbard)**

A **State Agency** asks if its employees assigned to the various Conservation Districts may participate in the state-funded Agricultural Enhancement Program that is administered by the districts.

**AO 2013-51 (Mr. Hubbard)**

A **County Assessor** asks if:

1. A full-time Commercial Supervisor at a County Assessor's Office may lease residential property to citizens of the County in which he works;
2. A full-time Commercial Supervisor at a County Assessor's Office may purchase, sell, or lease commercial property to citizens of the County in which he works;

3. A full-time Supervisor of a County Assessor's Office may participate and/or purchase property during public auctions from the County in which he works; and
4. Any full-time employee at an Assessor's Office may engage in the real estate business within the same county as the Assessor's Office. (Real estate business meaning regularly leasing, purchasing, and/or selling properties as a source of regular income.)

**AO 2013-52 (Ms. Weber)**

A **County Ambulance Authority** asks if it may purchase land from the brother of the Board President. The Requester further asks what procedures it must follow to ensure an arm's length transaction.

**AO 2013-53 (Mr. Visnic)**

A **County Board of Education** member asks if he may vote to change the Board's financial institution to a local bank in which he is a shareholder. The Requester also asks if he is permitted to remain on the board if the measure passes.

**AO 2013-54 (Ms. Parker)**

December meeting

**AO 2013-55 (Mr. Hubbard)**

A **County Assessor** asks if his daughter may purchase property in the County, and whether he and his wife may purchase property in the County in which he serves as Assessor.

**5. Contract Exemption Requests**

**CE 2013-06 (Ms. Hubbard)**

The **Little Kanawha Conservation District** seeks an exemption to allow Calhoun County Conservation Supervisor Roger Collins to offer private delivery services for a cost-share program that the District offers.

**CE 2013-07 City of Cameron (Ms. Parker)**

The **City of Cameron** asks for an exemption to allow the City to contract with the Mayor's spouse to provide emergency repairs at the City's Water Plant.

6. School Board Advisory Opinion Requests  
NONE

7. Property Exemption Requests  
NONE

8. Employment Exemption Requests (**Ms. Parker**)

**EE 2013-21 Arlie Hubbard**, Deputy General Counsel, WV Ethics Commission

**EE 2013-22 Elizabeth (Nikki) Orcutt**, WV Lottery - Deputy Director of Marketing

**EE 2013-23 Terry Lauchart**, WV Dept. of Agriculture – Regulatory Supervisor

9. Miscellaneous Matters (**Ms. Parker**)  
(a) P-Card Monthly Report (enclosure)  
(b) Lobbyist request for late fee waiver, Phil Pfister  
(c) Consider hiring Lucy Suchy as contract worker
10. Motion to Adjourn