



Ethics Commission Meeting Agenda

210 Brooks Street, Suite 300
Charleston, WV 25301

June 6, 2013
10:00 a.m.

1. Approve Minutes of **April 4, 2013** Meeting (**Chairperson Morton**)
2. Next meeting date **July 11, 2013** or at a date and time to be determined by the Commission
3. Recap of Previous Month (**Ms. Parker**)
4. Advisory Opinion Requests

AO 2013-14 (Ms. Parker)

A **Municipal Judge** who also maintains a private law practice asks whether he may announce his appointment to his government position on his business website; and whether he may, in his private capacity, continue to be paid to represent the Municipal Sanitary Board.

AO 2013-15 (Mr. Hubbard)

A **County Commission** asks whether it may compensate the Sheriff's Chief Law Enforcement Deputy to continue to serve as the County's 911 Director when the Chief Law Enforcement Deputy previously served in that capacity without pay when he was Sheriff in the previous administration.

AO 2013-16 (Ms. Parker)

A **County Solid Waste Authority** asks if it may accept donations to fund a training seminar from regulated companies, including a regulated company that is currently negotiating a long term land lease and potential private-public partnership with the Authority.

AO 2013-17 (Ms. Parker)

A **Public Employee** of a Regional Government Agency asks under what circumstances, if any, a public servant may redeem rewards points earned through the use of the agency's credit card, for the benefit of agency employees.

AO 2013-18 (Ms. Akers)

A **County Commissioner** asks whether he may vote on the selection of the County's insurance provider when he is a client of one of the insurance firms the County is considering. If not, then the Commissioner asks whether he may vote in the event of a tie.

AO 2013-19 (Ms. Akers)

A Town Attorney asks whether a Town Council Member may rent a building owned by the Town, and, if so, whether the Council Member must be recused from voting on the lease. He further asks whether the Town may rent the building to the Council Member for less than fair market value.

AO 2013-20 (Ms. Akers)

Two **Members of the Legislature** ask whether it is permissible under the Ethics Act for them to continue to appear in a television program for a non-profit foundation, if the non-profit solicits and obtains financial underwriting for future broadcasts.

AO 2013-21 (Ms. Parker)

A **Prosecuting Attorney** asks if it is permissible under the Ethics Act for a County Commission to employ a private attorney (either as an employee or on a contract basis) for civil matters, if that attorney maintains a private criminal defense practice in the same county.

AO 2013-22 (Ms. Parker)

A **State Employee** asks whether it is permissible for his private trucking business to subcontract with a contractor of his State Agency.

AO 2013-23 (Ms. Parker)

A **County Commissioner** asks whether a local Public Service District may give unused or out-of-service property to its employees, and whether those employees may sell said property and keep the money from such sales; and, if not whether the Public Service District may use E-bay or another auction site to dispose of such equipment.

AO 2013-24 (Mr. Hubbard)

A **Regional Solid Waste Authority** asks if it may continue to contract with an insurance agency while the Authority's Chairperson is Vice President and a principal therein.

AO 2013-25 (Ms. Parker)

An **Attorney for a Conservation District** asks whether an Elected Board Member may vote to approve requests from local land owners: (1) for acceptance into a cost-sharing program when the approved land owners may hire the Board Member's private business to fulfill the requirements of the program, and (2) for reimbursement for their costs associated with using the Board Member's private business.

AO 2013-26 (Ms. Parker)

A **Public Employee** of a County Development Authority asks whether her husband may apply for a small business loan through a program the Authority administers.

5. Contract Exemption Request

CE 2013-02 (Mr. Hubbard)

The **West Virginia State Police** seeks an exemption to award a contract to Roger Reed, its armorer, to purchase patrol rifles from West Virginia Law Enforcement Distributors, Inc., owned by Roger Reed.

6. School Board Advisory Opinion Requests
NONE

7. Property Exemption Requests
NONE

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

EE 2013-06 Ryan Curry, WV Department of Environmental Protection

EE 2013-07 Rob Alsop, Office of the Governor

**EE 2013-08 Karen C. Villanueva-Matkovich, Esq., WV State Tax
Department**

**EE 2013-09 Stephen M. Dean, Office of Miners' Health & Safety
Training**

**EE 2013-10 Michelle L. Redd, WV Department of Health & Human
Resources, Office of Inspector General**

**EE 2013-11 Rocco S. Fucillo, WV Department of Health & Human
Resources**

EE 2013-12 Michael A. Zeto

EE 2013-13 Russell S. Cook, WV Public Defender Services

EE 2013-14 Ryan Sims, WV Offices of the Insurance Commissioner

9. Miscellaneous Matters (**Ms. Parker**)

(a) P-Card Monthly Report

(b) Online Training Update

10. Motion to Adjourn