

**MINUTES OF THE JANUARY 7, 2016  
MEETING OF THE WEST VIRGINIA ETHICS COMMISSION**

The January 7, 2016, meeting of the West Virginia Ethics Commission was called to order in the Commission's Office located at 210 Brooks Street, Charleston, West Virginia, at 10:00 a.m., by Chairperson Robert J. Wolfe. Present in person at the meeting were Chairperson Wolfe and Commissioners Karen Disibbio, Betty S. Ireland, and Terry Walker. Commissioners Lawrence Tweel, Michael Greer, and Monté Williams participated by telephone. Commissioner Jack Buckalew participated by telephone for the last portion of the meeting. Commissioner Suzan Singleton was absent. Executive Director Rebecca L. Stepto, General Counsel Kimberly B. Weber, Deputy General Counsel Meridith O. Johnstone, Staff Attorney Theresa M. Kirk, Staff Attorney Derek A. Knopp, and Special Assistant to the Executive Director M. Ellen Briggs, all from the Commission staff, were present.

WHEREUPON, Chairperson Wolfe asked for approval of the December 3, 2015, Commission meeting minutes.

WHEREUPON, Commissioner Ireland made a motion to approve the minutes of December 3, 2015. Commissioner Disibbio gave a second. The motion passed.

WHEREUPON, Chairperson Wolfe reported on the 2016 dates for Commission meetings as:

February 4	March 3	April 7	May 5
June 2	July 7	August 4	September 1
October 6	November 3	December 1	

WHEREUPON, Chairperson Wolfe called upon Ms. Stepto to give a recap of the previous month.

Ms. Stepto provided the Commission with year-end figures of formal and informal complaints, Financial Disclosure Statements, lobbyists, etc. She reported that 10 Statements of Charges and Notices of Hearing were issued, 2 public hearings were held, 1,215 spending reports filed by lobbyists were processed, and 30 Advisory Opinions were issued.

Ms. Stepto reported that a temporary clerical employee has been hired to begin work on January 4, 2016, to assist with the processing of Financial Disclosure Statements. This year, an advance notice was emailed to more than 3,000 potential filers, with a good response from those who no longer need to file. Ms. Stepto noted that this year Financial Disclosure Statements must be filed by candidates, which will increase the workload of staff.

A report was given by Ms. Stepto that the lobbyist audit is being done by Rowan and Associates, which has provided reports regarding each audited lobbyist. The reports were sent to the lobbyists on December 29, 2015, and they have 30 days to file a written response to Mr. Rowan's findings.

Ms. Stepto reported that she continues to explore the possibility of lobbyists' photo identification badges being made by the Department of Motor Vehicles, which could make badges similar to the state employee badges at a cost of about \$25 each. The Commission will need to determine how the badges should be paid for since the Ethics Commission cannot afford to pay the estimated \$10,125 needed for the badges (405 lobbyists @ \$25 per ID). The Commission suggested that the cost needs to be added to a lobbyist's registration fee. Such action would require changes to the Ethics Act and legislative rule. The Commission also discussed the lobbyists' badges in relation to the new security system at the Capitol. Ms. Stepto advised that it was her position that it is not the responsibility of the Ethics Commission to vet lobbyists but rather should be done through the legislature or Capitol Security. The Commission concurred.

Ms. Stepto reported that a one-hour training course for lobbyists will be held on January 19, 2016. She reported that she has inquired about the dates for orientation of new legislators so that staff may conduct Ethics Act and Open Meetings training.

Ms. Stepto reported that she continues to draft and submit press releases to the Department of Administration's Communications Director for distribution to media outlets throughout the state. Recent releases related to the FDS deadline, the January 15th lobbyist reporting deadline, the January 19th lobbyist training session, and a Conciliation Agreement which issued a public reprimand.

A report was given by Ms. Stepto that the new Konica Minolta copier is now operational. It is much faster and efficient than the old copier in printing, copying, and scanning. The Office of Technology has installed equipment necessary to have office computers linked to the old copier so that both copiers may be used during the upcoming Financial Disclosure processing period.

Ms. Stepto provided a list of fines issued in Conciliation Agreements and in Final Decisions and Orders between 2010 and 2015.

Ms. Stepto reported that the interim session of the legislature starts on Sunday, but an agenda has not been posted. The Joint Committee of the Judiciary is scheduled to meet on Monday. Ms. Stepto will monitor legislative issues affecting the Ethics Commission.

A report was given by Ms. Stepto that mileage reimbursement has been decreased from 57.5 cents to 54 cents a mile.

WHEREUPON, Chairperson Wolfe called upon Mr. Knopp to present proposed Advisory Opinion 2016-01 for consideration.

WHEREUPON, Mr. Knopp presented proposed Advisory Opinion 2016-01 to the Commission for consideration. After discussion, a motion was made by Commissioner Ireland to approve the draft Opinion as written. Commissioner Disibbio gave a second, and the motion passed unanimously.

WHEREUPON, Chairperson Wolfe called upon Ms. Kirk to present proposed Advisory Opinion 2016-02 for consideration.

WHEREUPON, Ms. Kirk presented proposed Advisory Opinion 2016-02 to the Commission for consideration. After discussion, a motion was made by Commissioner Disibbio to approve the draft Opinion as written. Commissioner Ireland gave a second, and the motion passed unanimously.

WHEREUPON, Chairperson Wolfe called upon Ms. Stepto to present Employment Exemption Requests.

WHEREUPON, Ms. Stepto presented Employment Exemption 2015-17 requested by Nancy Godby, Executive Director, West Virginia Medical Imaging & Radiation Therapy Technology Board of Examiners; Employment Exemption 2015-18 requested by Truman Sayre, Jr., Chief Administrative Law Judge, Unemployment Compensation Board of Review, Workforce West Virginia; and Employment Exemption 2015-20 requested by Justin Southern, Communications Director, West Virginia State Auditor's Office. After discussion, Commissioner Ireland made a motion to ratify Employment Exemption 2015-17, Employment Exemption 2015-18, and Employment Exemption 2015-20. Commissioner Walker seconded, and the motion passed unanimously. Ms. Stepto reported that Employment Exemption 2015-19 did not require ratification since the requester retired on December 31, 2015.

WHEREUPON, Chairperson Wolfe called upon Commissioner Ireland, as Chair of the Personnel Committee, to present the report of the Personnel Committee.

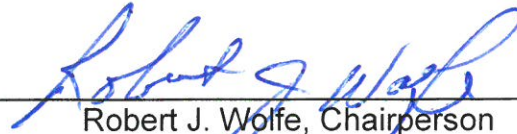
WHEREUPON, Commissioner Ireland reported that the Personnel Committee met before the Commission meeting today to review the staff evaluations done by Ms. Stepto. Commissioner Ireland asked the Commissioners if an executive session was needed to discuss specifics regarding any staff evaluations. It was determined that no executive session was needed. Chairperson Wolfe noted for the record that the Personnel Committee discussed the evaluations in executive session and then went into public session to approve and accept the evaluations. No action was needed by the full Commission.

WHEREUPON, Chairperson Wolfe called upon Ms. Stepto to present miscellaneous matters.

WHEREUPON, the Commission reviewed purchases on the P-Card monthly report for November. No corrections or additions were made to the report.

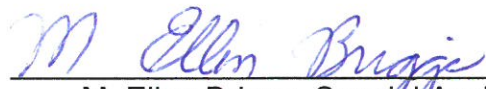
WHEREUPON, Chairperson Wolfe stated there were no more items for discussion. Commissioner Ireland made a motion to adjourn, and Commissioner Tweel seconded. The meeting was adjourned.

The foregoing minutes of the West Virginia Ethics Commission were approved at the February 4, 2016, meeting.



Robert J. Wolfe, Chairperson  
West Virginia Ethics Commission

ATTEST:



M. Ellen Briggs, Special Assistant  
to the Executive Director  
West Virginia Ethics Commission