

**Minutes of the February 1, 2018
Meeting of the West Virginia Ethics Commission**

The February 1, 2018, meeting of the West Virginia Ethics Commission was called to order in the Commission's office at 210 Brooks Street, Charleston, West Virginia, at 10:00 a.m. by Chairperson Robert J. Wolfe. Present in person were Chairperson Wolfe and Commissioners Lynn Davis and Terry Walker. Participating by telephone were Commissioners Karen Disibbio, Robert Harman, Suzan Singleton, and Monté Williams. Commissioners Betty S. Ireland and Larry Tweel were absent. Executive Director Rebecca L. Stepto, General Counsel Kimberly B. Weber, Staff Attorney Andrew Herrick, Staff Attorney Derek 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 January 4, 2018, Commission meeting minutes.

WHEREUPON, Commissioner Disibbio made a motion to approve the minutes of January 4, 2018. Commissioner Davis gave a second, and the motion passed.

WHEREUPON, Ms. Stepto gave a recap of the previous month.

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

WHEREUPON, Ms. Stepto presented Employment Exemption 2018-01 requested by Patrick C. Park II, PE, QA/QC Inspection Manager, Division of Highways, Maintenance Division. Commissioner Williams made a motion that Employment Exemption 2018-01 be ratified. Commissioner Disibbio gave a second, and the motion carried.

WHEREUPON, Chairperson Wolfe recognized counsel for the parties in Commission-Initiated Complaint 2017-02 against Cheryle M. Hall. Chairperson Wolfe advised Ms. Weber, counsel for the Complainant, and Ms. Hall, Respondent, that each would be given 10 minutes to present their case to the Commission. After both made their presentations, Chairperson Wolfe called for a motion to go into executive session.

WHEREUPON, a motion was made by Commissioner Walker to go into executive session, pursuant to W. Va. Code § 6B-2-4(s), to consider a Final Decision in Commission-Initiated Complaint 2017-02. Commissioner Davis seconded the motion. The motion carried. All guests and staff, except Ms. Stepto and Ms. Briggs, left the meeting room.

WHEREUPON, the Commission returned to public session and all guests and staff returned to the meeting room.

WHEREUPON, Commissioner Walker made a motion that the Commission adopt the Hearing Examiner's proposed decision and sanctions as follows:

- that a public reprimand shall be issued against Respondent Hall;
- that Respondent Hall shall pay a fine of \$1,500 to the West Virginia Ethics Commission on or before April 1, 2018, and
- that Respondent Hall shall reimburse the West Virginia Ethics Commission the amount of \$4,668 for the actual costs of prosecuting her violation of the Ethics Act on or before April 1, 2018.

Commissioner Singleton gave a second, and the motion carried unanimously.

WHEREUPON, Chairperson Wolfe asked the Commission to change the order of the agenda and consider Contract Exemption 2018-02 first. The full Commission concurred, and Chairperson Wolfe requested Ms. Weber to present Contract Exemption 2018-02.

WHEREUPON, Ms. Weber presented proposed Contract Exemption 2018-02 to the Commission for consideration. The requester, Joshua L. Jarrell, Deputy Cabinet Secretary/General Counsel, and Chelsea A. Ruby, Tourism Commissioner, both from the Tourism Office, appeared before the Commission. After discussion, a motion was made by Commissioner Disibbio to accept proposed Contract Exemption 2018-02 as presented. Commissioner Walker gave a second, and the motion carried.

WHEREUPON, Chairperson Wolfe requested Mr. Herrick to present Contract Exemption 2018-01.

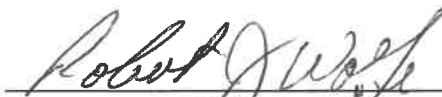
WHEREUPON, Mr. Herrick presented proposed Contract Exemption 2018-01 to the Commission for consideration. After discussion, a motion was made by Commissioner Disibbio to accept proposed Contract Exemption 2018-01 as presented. Commissioner Williams gave a second, and the motion carried.

WHEREUPON, the Commission reviewed purchases on the P-Card monthly report for December. Commissioner Disibbio moved and Commissioner Walker seconded that the report be accepted. The motion carried.

WHEREUPON, Ms. Stepto reported that the 2017 lobbyist audit has been completed by Rowan & Associates. Mr. Rowan requested documentation from 20 randomly selected lobbyists to support the expenditures which they reported in the three Lobbyist Activity Reports filed for 2016. After discussion, a motion was made by Commissioner Harman that no further activity is required by Mr. Rowan; that there is no information disclosed in the reports relating to lobbyist compensation or other information which is not required to be disclosed pursuant to W. Va. Code § 6B-3-1 et seq. and that the reports be deemed final. Commissioner Walker gave a second, and the motion carried.


WHEREUPON, Commissioner Disibbio made a motion to adjourn, and Commissioner Walker seconded. The motion passed, and the meeting was adjourned.

The foregoing minutes of the West Virginia Ethics Commission were approved at the Commission's March 1, 2018, meeting.



Robert J. Wolfe, Chairperson
West Virginia Ethics Commission

ATTEST:



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