

**Minutes of the May 2, 2019  
Meeting of the West Virginia Ethics Commission**

The May 2, 2019, 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. Also present in person were Commissioners Lynn Davis and Lawrence Tweel. Participating by telephone were Commissioners Lindsey Ashley, Karen Disibbio, Robert Harman, Suzan Singleton, and Terry Walker. Commissioner Monté Williams was absent. Executive Director Rebecca L. Stepto, General Counsel Kimberly B. Weber, 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 April 4, 2019, Commission meeting minutes.

WHEREUPON, Commissioner Tweel made a motion to approve the minutes of April 4, 2019. 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 requests.

WHEREUPON, Ms. Stepto presented Employment Exemption 2019-31 requested by Jeanne Phillips, Transportation Engineering Technician Associate (Finals Technician) D7 Construction, Department of Transportation, Division of Highways; Employment Exemption 2019-32 requested by Derrick Johnson, Highway Engineer Trainee-Project Engineer, Department of Transportation, Division of Highways; Employment Exemption 2019-33 requested by Ryan Satterfield, Incident & Mobility Management Coordinator, Department of Transportation, Division of Highways; Employment Exemption 2019-34 requested by Derek Giebell, Environmental Inspector, Division of Mining and Reclamation, Department of Environmental Protection; Employment Exemption 2019-36 requested by Jason Green, Transportation Engineering Technologist, Utility Coordinator, Department of Transportation, Division of Highways, and Employment Exemption 2019-37 requested by Michael A. Spolarich, Jr., Technical Analyst Associate, Department of Transportation, Division of Highways. Commissioner Tweel made a motion that Employment Exemptions 2019-31, 2019-32, 2019-33, 2019-34, 2019-36, and 2019-37 be ratified. Commissioner Davis gave a second, and the motion carried.

WHEREUPON, Chairperson Wolfe called upon Mr. Knopp to present proposed Advisory Opinion 2019-12 for consideration.

WHEREUPON, Mr. Knopp presented proposed Advisory Opinion 2019-12. After discussion, a motion was made by Commissioner Tweel to accept proposed Advisory

Opinion 2019-12 as presented. Commissioner Disibbio gave a second, and the motion carried.

WHEREUPON, Chairperson Wolfe called upon Ms. Weber to present proposed Advisory Opinion 2019-13 for consideration.

WHEREUPON, Ms. Weber presented proposed Advisory Opinion 2019-13. After discussion, a motion was made by Commissioner Harman to accept proposed Advisory Opinion 2019-13 as presented. Commissioner Tweel gave a second, and the motion carried.

WHEREUPON, Chairperson Wolfe called upon Ms. Kirk to present proposed Advisory Opinion 2019-14 for consideration.

WHEREUPON, Ms. Kirk presented two proposed Advisory Opinions for the Commission's review. After discussion, a motion was made by Commissioner Tweel to accept the proposed Advisory Opinion 2019-14 which prohibits a city police officer from including pictures of himself in uniform in his campaign material. Commissioner Davis gave a second, and the motion carried.

WHEREUPON, Chairperson Wolfe called upon Mr. Knopp to present proposed Contract Exemption 2019-02 for consideration.

WHEREUPON, Mr. Knopp presented proposed Contract Exemption 2019-02. After discussion, a motion was made by Commissioner Harman to accept proposed Contract Exemption 2019-02. Commissioner Disibbio gave a second. Further discussion continued. Commissioner Tweel made an amendment to proposed Contract Exemption 2019-02, and Commissioner Disibbio gave a second. The motion for amendment carried, with Commissioner Singleton opposed. Chairperson Wolfe called for a vote on the initial motion, and the motion carried.

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

WHEREUPON, Chairperson Wolfe called for a motion to go into executive session to discuss proposed actions on the following complaints: CIC 2018-04, VCRB 2018-21, VCRB 2018-26, VCRB 2018-27, and VCRB 2018-28.

WHEREUPON, a motion was made by Commissioner Tweel to go into executive session, pursuant to W. Va. Code § 6-9A-4(12), to consider proposed action on the following complaints: CIC 2018-04, VCRB 2018-21, VCRB 2018-26, VCRB 2018-27, and VCRB 2018-28. Commissioner Davis seconded the motion. The motion carried. Ms. Weber, Ms. Kirk, and the guest present left the meeting room.

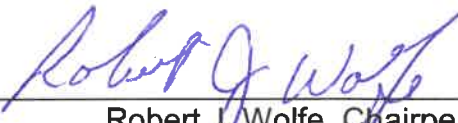
WHEREUPON, the Commission returned to public session, and no one returned to the meeting room.

WHEREUPON, Commissioner Tweel made a motion that, pursuant to W. Va. Code § 6B-2-4(w)(1), the Commission make criminal referrals in CIC 2018-04, VCRB 2018-21, VCRB 2018-26, VCRB 2018-27, and VCRB 2018-28 to the appropriate county prosecutor. Commissioner Disibbio gave a second to the motion, and the motion carried.


WHEREUPON, Chairperson Wolfe stated there were no more items for discussion.

WHEREUPON, Commissioner Tweel 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 August 1, 2019, meeting.

  
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Robert J. Wolfe, Chairperson  
West Virginia Ethics Commission

ATTEST:

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