

West Virginia Ethics Commission

Meeting Minutes March 5, 2020

The March 5, 2020, 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

Robert J. Wolfe, Commission chairperson
Terry Walker, Commission member
Lynn Davis, Commission member (by telephone)
Karen Disibbio, Commission member (by telephone)
Robert Harman, Commission member (by telephone, for a portion of the meeting)
Suzan Singleton, Commission member (by telephone)
Larry Tweel, Commission member (by telephone)
Monté Williams, Commission member (by telephone, for a portion of the meeting)
Rebecca L. Stepto, Executive Director
Kimberly B. Weber, General Counsel
Theresa M. Kirk, Staff Attorney
Derek A. Knopp, Staff Attorney
M. Ellen Briggs, Special Assistant to the Executive Director

Absent

Lindsey C. Ashley, Commission member

Approval of minutes

Mr. Tweel made a motion to approve the minutes of the Commission's February 6, 2020, meeting. Mr. Walker seconded the motion, which passed unanimously.

Recap of previous month

Ms. Stepto provided a summary of news and developments relating to the Ethics Commission during the previous month.

Change to agenda order

Mr. Wolfe requested that agenda item AO 2020-04 be moved to the front of the agenda. The Commission concurred.

Advisory Opinion 2020-04

Mr. Wolfe called upon Ms. Weber to present Advisory Opinion 2020-04 to the Commission for consideration. Ms. Weber presented the proposed Advisory Opinion. Mr. Tweel moved that the following parenthetical be added to the Advisory Opinion on page 5:

(In 1995, the Alabama Legislature nullified all existing Advisory Opinions rendered by the state Ethics Commission. The Commission has not issued any Opinion dispositive of the issues presented in this Opinion since that time.)

Ms. Disibbio seconded the motion, which passed unanimously. Further, a motion was made by Mr. Walker to change part of the language in (i), (ii), and (iii) on page 6 as follows: "between Charleston and Lewisburg" to "from Lewisburg." Ms. Disibbio seconded the motion, which passed unanimously. Mr. Harman left the meeting. Mr. Wolfe called for the question on Advisory Opinion 2020-04. Mr. Walker made a motion that the Advisory Opinion be approved with the aforementioned amendments. Ms. Disibbio seconded the motion, which passed unanimously.

Employment Exemptions

EE 2020-06

Adrian Bernatowicz, Regional Program Manager/Maintenance Assistant, Department of Transportation, Division of Highways

EE 2020-07

Robert D. Moore, Realty Manager, Chief of Acquisition, Department of Transportation, Division of Highways

EE 2020-08

Duane B. Blevins, Highway Engineer Trainee – District Construction Area Engineer, Department of Transportation, Division of Highways

EE 2020-09

David Ferrell, Highway Engineer Project Supervisor, Department of Transportation, Division of Highways

EE 2020-10

Larry Shea, Highway Engineer Associate, Department of Transportation, Division of Highways

EE 2020-11

John P. Hundagen, Transportation Engineering Technician-Senior, Department of Transportation, Division of Highways

EE 2020-12

Richard Chase Aliff, Transportation Engineering Technician-Senior,
Department of Transportation, Division of Highways

EE 2020-13

James S. Williamson, II, Transportation Engineering Technician,
Department of Transportation, Division of Highways

Mr. Walker moved that Employment Exemptions 2020-06, 2020-07, 2020-08, 2020-09, 2020-10, 2020-11, 2020-12, and 2020-13 be ratified. Ms. Singleton seconded the motion, which passed unanimously.

Advisory Opinion 2020-05

Mr. Wolfe called upon Ms. Kirk to present Advisory Opinion 2020-05 to the Commission for consideration. Ms. Kirk presented the proposed Advisory Opinion. Mr. Williams joined the meeting. Mr. Walker moved to accept the Advisory Opinion, and Ms. Davis seconded the motion, which passed unanimously.

Contract Exemption 2020-03

Mr. Wolfe called upon Mr. Knopp to present Contract Exemption 2020-03 to the Commission for consideration. Mr. Knopp presented the proposed Contract Exemption. Mr. Walker moved to accept the Contract Exemption. Ms. Disibbio seconded the motion, which passed unanimously.

Approve modified Guideline

Mr. Wolfe called upon Ms. Stepto to give a summary of the proposed changes to the Guideline entitled "How to Obtain an Employment Exemption before Looking for a New Job." A motion was made by Mr. Walker to approve this Guideline as presented. Ms. Davis seconded the motion, which passed unanimously.

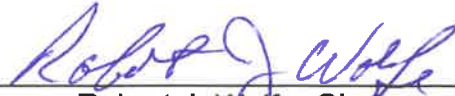
Approve P-card monthly report

The Commission reviewed purchases on the P-card monthly report for January 2020. Mr. Walker moved that the report be accepted as presented. Ms. Singleton seconded the motion, which passed unanimously.

Adjournment

Ms. Singleton made a motion to adjourn, and Mr. Walker seconded the motion. The motion passed unanimously, and the meeting was adjourned.

The foregoing minutes of the West Virginia Ethics Commission were approved at the Commission's April 2, 2020, meeting.



Robert J. Wolfe, Chairperson
West Virginia Ethics Commission

ATTEST:



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