

West Virginia Ethics Commission

Meeting Minutes November 4, 2021

The November 4, 2021, 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. Commissioners and the public were invited to attend via telephone.

Present

Robert J. Wolfe, Commission chairperson
Lynn Davis, Commission member (by telephone)
Karen Disibbio, Commission member (by telephone)
Robert Harman, Commission member (by telephone)
Suzan Singleton, Commission member (by telephone)
Terry Walker, Commission member (by telephone)
Monté Williams, Commission member (by telephone)
Kimberly B. Weber, Executive Director
Theresa M. Kirk, General Counsel
Andrew R. Herrick, Staff Attorney
John E. Roush, Staff Attorney
M. Ellen Briggs, Executive Assistant

Approve Minutes

Mr. Harman made a motion to approve the minutes of the Commission's September 2, 2021, meeting. Ms. Singleton seconded the motion, which passed as follows:

Davis – abstain
Disibbio – aye
Harman – aye
Singleton – aye
Walker – aye
Williams – aye
Wolfe – aye

Introduction of Mark Scott, Cabinet Secretary, Department of Administration

Mr. Wolfe welcomed Mark Scott, the newly appointed Cabinet Secretary for the Department of Administration.

Recap of Previous Month

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

Employment Exemption Requests

EE 2021-21

Austin O. Edman, Bridge Evaluation Engineer, Department of Transportation, Division of Highways

EE 2021-22

James E. Lambert, Highway Division Manager 2, Department of Transportation, Division of Highways

Ms. Singleton moved that Employment Exemptions 2021-21 and 2021-22 be ratified. Ms. Davis seconded the motion, which passed as follows:

Davis – aye
Disibbio – aye
Harman – aye
Singleton – aye
Walker – aye
Williams – aye
Wolfe – aye

Advisory Opinion 2021-21

Mr. Wolfe called upon Mr. Roush to present Advisory Opinion 2021-21 to the Commission for consideration. Mr. Roush presented the proposed Advisory Opinion. Ms. Singleton made a motion that the Advisory Opinion be approved as presented. Ms. Davis seconded the motion, which passed as follows:

Davis – aye
Disibbio – aye
Harman – aye
Singleton – aye
Walker – aye
Williams – aye
Wolfe – aye

Advisory Opinion 2021-22

Mr. Wolfe called upon Mr. Herrick to present Advisory Opinion 2021-22 to the Commission for consideration. Mr. Herrick presented the proposed Advisory Opinion and an amendment to the Advisory Opinion was suggested by the Commission. Mr. Harman made a motion that the Advisory Opinion be approved with the amendment. Ms. Davis seconded the motion, which passed as follows:

Davis – aye
Disibbio – aye
Harman – aye
Singleton – aye
Walker – aye
Williams – aye
Wolfe – aye

Advisory Opinion 2021-23

Mr. Wolfe called upon Ms. Weber to present Advisory Opinion 2021-23 to the Commission for consideration. Ms. Weber presented the proposed Advisory Opinion. Ms. Singleton made a motion that the Advisory Opinion be approved as presented. Mr. Harman seconded the motion, which passed as follows:

Davis – aye
Disibbio – aye
Harman – aye
Singleton – aye
Walker – aye
Williams – aye
Wolfe – aye

Contract Exemption 2021-03

Mr. Wolfe called upon Ms. Weber to present Contract Exemption 2021-03 to the Commission for consideration. Ms. Weber presented the proposed Contract Exemption, which was requested by the Clay County Commission. Ms. Singleton made a motion that the Contract Exemption be approved as presented. Ms. Disibbio seconded the motion, which passed as follows:

Davis – aye
Disibbio – aye
Harman – aye
Singleton – aye
Walker – aye
Williams – aye
Wolfe – aye

Approve P-card Monthly Reports

The Commission reviewed the P-card monthly reports for August and September 2021. A motion was made by Ms. Singleton to approve the reports as presented. Ms. Disibbio seconded the motion, which passed as follows:

Davis – aye
Disibbio – aye
Harman – aye
Singleton – aye
Walker – aye
Williams – aye
Wolfe – aye

Executive Session Motion

A motion was made by Ms. Davis to go into executive session, pursuant to W. Va. Code § 6-9A-4(b)(2)(A), relating to matters arising from the appointment, employment, retirement, promotion, transfer, demotion, disciplining, resignation, discharge, dismissal or compensation of a public officer or employee, to review and discuss the personnel evaluations report from the Personnel Committee. Ms. Singleton seconded the motion, which passed as follows. All staff, except for Ms. Weber, left the meeting room.

Davis – aye
Disibbio – aye
Harman – aye
Singleton – aye
Walker – aye
Williams – aye
Wolfe – aye

Personnel Committee Report

Ms. Briggs returned to the meeting room, and the Commission returned to public session. A motion was made by Ms. Davis that the Commission approve the personnel evaluations of all staff as presented by Ms. Weber and reviewed and approved by the Personnel Committee. Mr. Harman seconded the motion, which passed as follows:

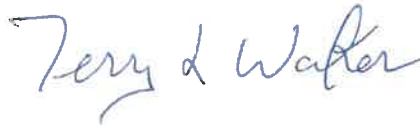
Davis – aye
Disibbio – aye
Harman – aye
Singleton – aye
Walker – aye
Williams – not present
Wolfe – aye

Adjournment

Ms. Singleton made a motion to adjourn, and Ms. Disibbio seconded the motion. The motion passed as follows, and the meeting was adjourned.

Davis – aye
Disibbio – aye
Harman – aye
Singleton – aye
Walker – aye
Williams – not present
Wolfe – aye

The foregoing minutes of the West Virginia Ethics Commission were approved at the Commission's January 6, 2022, meeting.



Terry L. Walker, Acting Chairperson
West Virginia Ethics Commission

ATTEST:



M. Ellen Briggs, Executive Assistant
West Virginia Ethics Commission