

West Virginia Ethics Commission

Meeting Minutes December 1, 2022

The December 1, 2022, 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 Acting Chairperson Terry L. Walker. Mr. Walker reported that Mr. Wolfe asked him to serve as Acting Chair in Mr. Wolfe's absence. Commissioners and the public were invited to attend in person and via telephone. Mr. Walker welcomed Mark Scott, Cabinet Secretary of the Department of Administration, to the meeting.

Present

Terry L. Walker, Acting 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)
Kimberly B. Weber, Executive Director
Theresa M. Kirk, General Counsel
Andrew Herrick, Staff Attorney
M. Ellen Briggs, Executive Assistant

Absent:

Robert J. Wolfe, Commission chairperson

Approve Minutes

Mr. Harman made a motion to approve the minutes of the Commission's October 6, 2022, meeting. Ms. Singleton seconded the motion, which passed as follows:

Davis – aye
Disibbio – aye
Harman – aye
Singleton – aye
Walker – aye

Recap of Previous Month

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

Employment Exemption Requests

EE 2022-61

Ryan Arnold, Area Engineer, Department of Transportation, Division of Highways

EE 2022-62

J. Darby Clayton, Assistant Chief Engineer of Operations/Assistant Deputy State Highway Engineer, Department of Transportation, Division of Highways

EE 2022-63

Austin D. Lanham, Environmental Inspector, Department of Environmental Protection

Mr. Harman moved that Employment Exemptions 2022-61 through 2022-63 be ratified. Ms. Disibbio seconded the motion, which passed as follows:

Davis – aye
Disibbio – aye
Harman – aye
Singleton – aye
Walker – aye

Advisory Opinion 2022-20

Mr. Walker called upon Ms. Weber to present Advisory Opinion 2022-20 to the Commission for consideration. Ms. Weber presented the proposed Advisory Opinion and responded to questions from the Commission. Mr. Harman made a motion that the Advisory Opinion be approved as presented. Ms. Disibbio seconded the motion, which passed as follows:

Davis – aye
Disibbio – aye
Harman – aye
Singleton – aye
Walker – aye

Advisory Opinion 2022-21

Mr. Walker called upon Mr. Herrick to present Advisory Opinion 2022-21 to the Commission for consideration. Mr. Herrick presented the proposed Advisory Opinion and responded to questions from the Commission. Ms. Disibbio 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

Contract Exemption 2022-04

Mr. Walker called upon Ms. Kirk to present Contract Exemption 2022-04. Ms. Kirk presented the proposed Contract Exemption. Ms. Singleton made a motion that the Contract Exemption be approved. Ms. Disibbio seconded the motion, which passed as follows:

Davis – aye
Disibbio – aye
Harman – aye
Singleton – aye
Walker – aye

Approve P-card Monthly Reports

The Commission reviewed the P-card monthly reports for September and October 2022. A motion was made by Ms. Davis 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

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. Disibbio 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

Personnel Committee Report

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

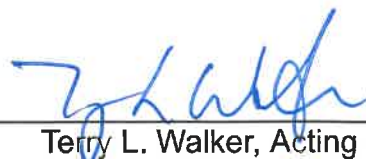
Davis – aye
Disibbio – aye
Harman – aye
Singleton – aye
Walker – aye

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

The foregoing minutes of the West Virginia Ethics Commission were approved at the Commission's February 2, 2023, meeting.



Terry L. Walker, Acting Chairperson
West Virginia Ethics Commission

ATTEST:



M. Ellen Briggs, Executive Assistant
West Virginia Ethics Commission