

# **West Virginia Ethics Commission**

## **Meeting Minutes September 1, 2022**

The September 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 Chairperson Robert J. Wolfe. Commissioners and the public were invited to attend in person and via telephone. Mr. Wolfe welcomed Mark Scott, Cabinet Secretary of the Department of Administration, to the meeting.

### **Present**

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

### **Absent:**

Suzan Singleton, Commission member  
Monté Williams, Commission member

### **Approve Minutes**

Mr. Harman made a motion to approve the minutes of the Commission's August 4, 2022, meeting. Ms. Davis seconded the motion, which passed as follows:

Davis – aye  
Disibbio – aye  
Harman – aye  
Walker – aye  
Wolfe – aye

### **Recap of Previous Month**

Ms. Weber provided a summary of news and developments relating to the Ethics Commission during the previous month. Cabinet Secretary Scott explained in further

detail the Department of Administration's training project for top and mid-level supervisors/managers.

### **Employment Exemption Requests**

EE 2022-42

Jack F. Harden, II, Project Engineer, Department of Transportation, Division of Highways

EE 2022-43

Donald W. Rose, Transportation Engineering Analyst, Department of Transportation, Division of Highways

EE 2022-45

Patrick B. Brennan, Highway Engineer, Department of Transportation, Division of Highways

EE 2022-46

Heather L. Hutchens, General Counsel, Department of Education

EE 2022-47

Toni Rogers, D-1 Resurfacing Coordinator, Department of Transportation, Division of Highways

EE 2022-48

Gary W. Mullins, D-1 Acting Design Engineer, Department of Transportation, Division of Highways

EE 2022-49

Jamie Taylor, Director/Chief Examiner, Offices of the Insurance Commissioner

EE 2022-50

Lacey Cannon, Information Systems Specialist, III, Department of Health and Human Resources, Office of Management Information Systems

EE 2022-51

Jonathan Bailey, Highway Transportation Engineer Technician, D-1 Material Supervisor, Department of Transportation, Division of Highways

Mr. Wolfe noted for the record that EE 2022-44 is not listed on the Commission's agenda because the requester left state employment and therefore did not need to have her temporary employment exemption ratified. Ms. Davis moved that Employment Exemptions 2022-42 through 2022-51, excluding EE 2022-44, be ratified. Mr. Walker seconded the motion, which passed as follows:

Davis – aye  
Disibbio – aye  
Harman – aye  
Walker – aye  
Wolfe – aye

**Contract Exemption 2022-02**

Mr. Wolfe called upon Mr. Herrick to present Contract Exemption 2022-02 to the Commission for consideration. Kelley Goes, Attorney for Pleasants County Development Authority, and Diane Braun, Executive Director of the Pleasants County Development Authority, were present via teleconference. Mr. Herrick presented the proposed Contract Exemption. Ms. Davis 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  
Walker – aye  
Wolfe – aye

**Contract Exemption 2022-03**

Mr. Wolfe called upon Ms. Kirk to present Contract Exemption 2022-03 to the Commission for consideration. The following Department of Transportation, Division of Highways, employees were present in person: Nathaniel K. Tawney, General Counsel; Gregory L. Bailey, Chief Engineer of Operations/Deputy State Highway Engineer; and Charles Bennett Murphy, Highway Engineer Trainee II. Ms. Kirk presented the proposed Contract Exemption. A motion was made by Ms. Disibbio that the Contract Exemption be approved as presented. Mr. Harman seconded the motion, which passed as follows:

Davis – aye  
Disibbio – aye  
Harman – aye  
Walker – aye  
Wolfe – aye

**Approve P-card Monthly Report**

The Commission reviewed the P-card monthly report for July 2022. A motion was made by Ms. Davis to approve the report as presented. Ms. Disibbio seconded the motion, which passed as follows:


Davis – aye  
Disibbio – aye  
Harman – aye  
Walker – aye  
Wolfe – aye

### Adjournment

Mr. Walker made a motion to adjourn, and Mr. Harman seconded the motion. The motion passed as follows, and the meeting was adjourned.

Davis – aye  
Disibbio – aye  
Harman – aye  
Walker – aye  
Wolfe – aye

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

  
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Robert J. Wolfe, Chairperson  
West Virginia Ethics Commission

ATTEST:

  
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M. Ellen Briggs, Executive Assistant  
West Virginia Ethics Commission