

# West Virginia Ethics Commission

## Meeting Minutes December 7, 2023

The December 7, 2023, 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, who was asked by Chairperson Wolfe to chair the meeting in his absence. Commissioners and the public were invited to attend in person, via video link, and via telephone.

### Present

Terry L. Walker, Acting Chairperson  
Joshua Cottle, Commission member (virtually)  
Lynn Davis, Commission member (by telephone)  
Karen Disibbio, Commission member (by telephone)  
Robert Harman, Commission member (by telephone)  
Suzan Singleton, Commission member (virtually)  
Kimberly B. Weber, Executive Director  
Theresa M. Kirk, General Counsel  
M. Ellen Briggs, Executive Assistant

### Absent

Robert J. Wolfe, Commission chairperson

### Approval of Minutes

Ms. Singleton made a motion to approve the minutes of the Commission's November 2, 2023, meeting. Mr. Cottle seconded the motion, and the motion carried, as follows:

Cottle – aye  
Davis – aye  
Disibbio – abstained  
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**

Ms. Weber asked the Commission to ratify the following temporary employment exemptions that she had granted since the last Commission meeting.

### **EE 2023-86**

Jonathan Clark, Construction Engineer, Department of Transportation,  
Division of Highways

### **EE 2023-87**

Matthew H. Skiles, Assistant Director, Traffic Engineering Division,  
Department of Transportation, Division of Highways

### **EE 2023-88**

Suman Thapa, Transportation Engineer, Concrete Section Supervisor,  
Department of Transportation, Division of Highways

Mr. Harman moved that Employment Exemptions 2023-86 through 2023-88 be ratified. Ms. Disibbio seconded the motion, and the motion carried, as follows:

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

## **Approve Purchasing Card Monthly Report**

The Commission reviewed the purchasing card monthly report for October 2023. Ms. Weber reported that invoices were available for review and recommended that the purchases be approved. A motion was made by Ms. Singleton to approve the report as presented. Ms. Davis seconded the motion, and the motion carried, as follows:

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

## **Executive Session**

Ms. Singleton moved that the Ethics Commission go into Executive Session, pursuant to W. Va. Code § 6B-2-4(s), W. Va. Code § 6-9A-4(12), the attorney-client privilege, and

the exception in the Open Meetings Act for adjudicatory sessions, to consider a Final Decision in Verified Complaint 2020-71, Daniel Elliott, former Conservation Technician, Tygarts Valley Conservation District. Mr. Harman gave a second, and the motion carried, as follows:

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

### **Action on Complaint**

The Commission returned to public session following the executive session. A motion was made by Ms. Singleton that the Commission accept the “Final Decision and Order” presented to the Commission, which adopts the Hearing Examiner’s “Findings of Fact and Conclusions of Law” and “Proposed Sanctions” in the matter VCRB 2020-71 Daniel Elliott, former Conservation Technician, Tygarts Valley Conservation District. Mr. Cottle gave a second, and the motion carried, as follows:

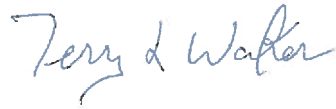
Cottle – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye

### **Adjournment**

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

Cottle – aye  
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 January 5, 2024, meeting.



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Terry L. Walker, Acting Chairperson  
West Virginia Ethics Commission

ATTEST:



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M. Ellen Briggs, Executive Assistant  
West Virginia Ethics Commission