Ethics Commission Meeting Agenda

210 Brooks Street, Suite 300
Charleston, WV 25301

July 11, 2013
10:00 a.m.

1. Approve Minutes of **June 6, 2013** Meeting (Chairperson Morton)

2. Discuss meeting schedule for remainder of the year (Chairperson Morton)

   (Next meeting date **August 1, 2013** or at a date and time to be determined
   by the Commission)

3. Recap of Previous Month (Ms. Parker)

4. Advisory Opinion Requests

   **AO 2013-21 (Ms. Akers)** Tabled at the June 6, 2013 Commission Meeting
   A Prosecuting Attorney asks if it is permissible under the Ethics Act for a
   County Commission to employ a private attorney (either as an employee or
   on a contract basis) for civil matters, if that attorney maintains a private
   criminal defense practice in the same county.

   **AO 2013-25 (Ms. Parker)** Tabled at the June 6, 2013 Commission Meeting
   An Attorney for a Conservation District asks whether a conflict of interest
   exists with an Elected Board Member and, if so, whether it may be cured by
   his recusal from voting thereon.
AO 2013-27 (Ms. Akers)
An Attorney for a County Board of Education asks whether teachers who served on the Textbook Adoption Committee may contract with the private textbook company the Committee chose to receive paid training on a newly adopted textbook, and if so, whether the company may pay those teachers to train other teachers within the State.

AO 2013-28 (Ms. Parker)
A Public Employee asks whether a group of employees may use a state-owned parking garage for a garden and distribute produce and flowers to community groups.

AO 2013-29 (Ms. Parker)
A County Surveyor who owns: a private surveying company and land, and whose father owns land and mineral rights, poses three questions:
1. Is there a conflict between being the County Surveyor and being employed part-time by the County Commission as the County Floodplain Manager/Administrator?
2. If so, what are the ethical implications if I perform a survey in my private capacity that concludes that the property is within the floodplain, and therefore under my jurisdiction as Floodplain Manager/Administrator?
3. Is it a conflict for me to perform my Floodplain Manager duties when natural gas companies submit applications to work in the designated floodplain?

AO 2013-30 (Mr. Hubbard)
A Commissioner of a State Agency asks if he may retain partial ownership of a race horse that may compete in the State.

AO 2013-31 (Ms. Parker)
An Elected Member of the Board of Public Works asks whether he may allow a private foundation to “piggyback” or participate in the State’s Purchasing Card program.

AO 2013-32 (Mr. Hubbard)
A newly elected Town Councilperson asks if he may vote on issues related to the local branch of a charity when his father is Vice Chairperson of the charity.
AO 2013-33 (Ms. Parker)
An **Elected State Official** asks whether he may serve as the Secretary of a local Masonic lodge and accept an expense reimbursement stipend of $300 per month.

AO 2013-34 (Mr. Hubbard)
A **Sheriff’s Tax Deputy** asks if he may provide security services to residents and law enforcement throughout the State through a limited liability company.

5. Contract Exemption Request

CE 2013-03 (Mr. Hubbard)
The **Raleigh County Commission** seeks an exemption to award a contract to a cleaning company owned by County employees Mary Sizemore and Dennis Sizemore.

6. School Board Advisory Opinion Requests
NONE

7. Property Exemption Requests
NONE

8. Employment Exemption Request (**Ms. Parker**)

EE 2013-15 Kimberly L. Osborne, Office of the Governor

9. Miscellaneous Matters (**Ms. Parker**)

(a) P-Card Monthly Report
(b) Training update
(c) Discuss Delinquent Financial Disclosure Statements, including methods to ensure compliance, and how to “publish” list of delinquents

10. Motion to Adjourn