

**MINUTES OF THE MAY 5, 2011
MEETING OF THE WEST VIRGINIA ETHICS COMMISSION**

The May 5, 2011 meeting of the West Virginia Ethics Commission was called to order in the Commission's Office located at 210 Brooks Street, Charleston WV at 10:00 a.m. by Chairperson Morton. Present in person were members Deem, Radford, Father Sutton and Turak. Members Salmons and Williams participated via telephone. Member Buckalew was absent. Executive Director Theresa M. Kirk, General Counsel C. Joan Parker, Deputy General Counsel Martin J. Wright, Paralegal/Acting Secretary Lietta J. White and Lobbyist Registrar Lucy Suchy were also in attendance.

WHEREUPON, Chairperson Morton asked for approval of the April 7, 2011 Commission Meeting minutes.

WHEREUPON, Ms. Radford made a motion to approve the minutes of the May 5, 2011 meeting and Mr. Turak seconded. The motion passed unanimously 7-0.

WHEREUPON, Chairperson Morton announced the next meeting of the WV Ethics Commission is scheduled for June 2, 2011 at 10:00 a.m. in the Commission's office located at 210 Brooks Street, Suite 300, Charleston WV.

WHEREUPON, Chairperson Morton called upon Ms. Kirk for a recap of the previous month. Ms. Kirk discussed training.

WHEREUPON, Mr. Deem stated the Commission should meet every month with no exceptions. It was generally discussed that the statute states that meetings shall be called by the chairperson and normally the Commission meetings every month; however, at times, when there are no matters requiring action, the Commission will not hold a meeting. No action was taken. There was discussion that if the Commission wants to consider this issue further, then it should be put on an agenda for further discussion.

WHEREUPON, Chairperson Morton called upon Ms. Parker to present Advisory Opinion 2011-04 which was tabled at the April 7, 2011 Commission meeting, to the Commission for consideration.

WHEREUPON, Ms. Parker presented Advisory Opinion 2011-04 to the Commission for consideration. After discussion, Father Sutton made a motion to approve Advisory Opinion 2011-04 as written and Mr. Turak seconded. The motion passed 6-1 with Mr. Salmons voting in the negative.

WHEREUPON, Chairperson Morton called upon Mr. Wright to present Advisory Opinion 2011-06 to the Commission for consideration.

WHEREUPON, Mr. Wright presented Advisory 2011-06 to the Commission for consideration. After discussion, Father Sutton made a motion to approve Advisory Opinion 2011-06 as written and Mr. Turak seconded. The motion passed unanimously 7-0. Advisory Opinion 2011-06 is a non-precedential opinion.

WHEREUPON, Chairperson Morton noted there were no Contract Exemption Requests, School Board Advisory Opinion Requests and Property Exemption Requests to be presented to the Commission for consideration.

WHEREUPON, Chairperson Morton called upon Ms. Kirk to present the Employment Exemption Requests.

WHEREUPON, Ms. Kirk presented EE 2011-09 requested by Roger Wolfe, Jr. and EE 2011-10 requested by Jennifer Hughes. After discussion, Ms. Radford made a motion to ratify the exemptions and Mr. Williams seconded. The motion passed unanimously 7-0.

WHEREUPON, Chairperson Morton asked Ms. Kirk if there were any miscellaneous matters to bring before the Commission.

WHEREUPON, Ms. Kirk provided an overview and update of the WVEC Budget to the Commission. Ms. Kirk stated the WVEC budget was granted an additional \$75,000 to allow WVEC to hire a full-time investigator and a part-time attorney to assist with legal matters. Ms. Kirk also discussed the new lobbyist training video and the 2% pay increase for employees given by the Governor's office.

WHEREUPON, Ms. Kirk provided an overview of the revised financial disclosure statement to the Commission.

WHEREUPON, Ms. Kirk asked the Commission to review and approve the Personnel Committee's Report regarding WVEC Executive Director and Staff evaluations. After discussion, Father Sutton made a motion that the Commission to go into executive session to receive the Personnel Committee's Report and Ms. Radford seconded. After coming out of executive session, the Commission did not take any action on the report provided by the Personnel Committee.

WHEREUPON, the Commission reviewed the Ethics Commission P-Card monthly purchase report with no comments after review.

WHEREUPON, Ms. Kirk asked the Commission to consider the Recommended Decision regarding VCRB 2007-25, Respondent William Perry, Former Chief Deputy Assessor in Monongalia County. After discussion, Mr. Williams made a motion to go into executive session to discuss the recommended decision issued in VCRB 2007-25. After coming out of executive session, Ms. Radford made a motion to approve the proposed Order regarding VCRB 2007-25 and Mr. Turak seconded. The motion passed 6-0. After further discussion, Mr. Turak made a motion to accept the Recommended

Decision of the Hearing Examiner regarding VCRB 2007-25 and Ms. Radford seconded. The motion passed 6-0.

Father Sutton abstained for voting on the issues regarding matter number VCRB 2007-25, Respondent William Perry. Father Sutton did stay in room for the purposes of a quorum.

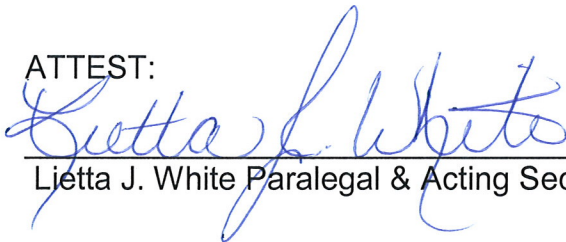
WHEREUPON, Chairperson Morton asked if there were any other matters to be discussed before the Commission, there being none, the meeting was adjourned.

The foregoing minutes of the West Virginia Ethics Commission were approved unanimously at the June 2, 2011 WVEC meeting.



Kemp Morton, Chairperson
West Virginia Ethics Commission

ATTEST:



Lietta J. White Paralegal & Acting Secretary, West Virginia Ethics Commission