

**MINUTES OF THE MARCH 12, 2015  
MEETING OF THE WEST VIRGINIA ETHICS COMMISSION**

The March 12, 2015, meeting of the West Virginia Ethics Commission was called to order in the Commission's Office, located at 210 Brooks Street, Charleston, West Virginia, at 10:00 a.m., by Chairperson Robert Wolfe. Present in person at the meeting were Commissioners Betty S. Ireland, Lawrence Tweel, and Robert Wolfe. Commissioners Jack Buckalew, Karen Disibbio, Michael Greer, Suzan Singleton, and Terry Walker participated by telephone. Commissioner Monté Williams was absent. Executive Director Rebecca L. Stepto, General Counsel Kimberly B. Weber, Deputy General Counsel Meridith O. Johnstone, Staff Attorney Benjamin Visnic, and Special Assistant to the Executive Director M. Ellen Briggs, all from the Commission staff, were present.

WHEREUPON, Chairperson Wolfe asked for approval of the February 5, 2015, Commission meeting minutes.

WHEREUPON, Commissioner Greer made a motion to approve the minutes, and Commissioner Tweel gave a second. The motion passed unanimously.

WHEREUPON, Chairperson Wolfe reported for the record that the March 5, 2015, meeting of the Commission was postponed to March 12, 2015, due to weather conditions. The next Commission meeting is scheduled for April 2, 2015. The following 2015 proposed dates for Commission meetings were discussed, noting that the dates are subject to change:

May 7	September 3
June 4	October 1
July 2	November 5
August 6	December 3

WHEREUPON, Chairperson Wolfe called upon Ms. Stepto to give a recap of the previous month.

Ms. Stepto reported that the West Virginia Supreme Court of Appeals has refused to issue a Writ of Mandamus which was sought by an individual who had filed four Verified Complaints on March 13, 2014. The action was filed against the Ethics Commission, the Chair of the Probable Cause Review Board, and Ms. Stepto as Interim Executive Director. The Complainant/Petitioner sought to expedite the Ethics Commission's handling of the Complaints, which are still being investigated by staff.

Ms. Stepto reported that staff continues to receive and review completed Financial Disclosure Statements. Contact is being made with those officials who have not filed their Disclosures. The next step in this process will be to download Disclosures filed by Legislators, elected members of the executive department, and members of the Supreme Court onto the Commission's website.

Ms. Stepto reported that staff has completed the composite report of lobbyists' spending from the activity reports which were due on January 15, 2015. Those reports were for lobbying activities during the last four months of 2014. Copies of the composite report and the list of those who failed to file their reports were emailed to all Commissioners and released to the media.

A report was given by Ms. Stepto on Senate Bill 325 relating to filing dates for Financial Disclosure Statements by candidates; setting deadlines for candidates to file Financial Disclosure Statements with the Ethics Commission; setting deadlines for the Ethics Commission to file duplicate copies of Statements to certain offices; clarifying to which office the Ethics Commission sends copies of Statements; and disqualifying candidates who fail to file a Statement by the deadline. Ms. Stepto reported that Senate Bill 325 is on the special calendar for the full House's consideration.

Ms. Stepto reported on House Bill 2457 relating to prohibiting the use of the name or likeness of a public official on publicly-owned vehicles; prohibiting a public official from placing his or her name or likeness on trinkets paid for with public funds; prohibiting a public official from using public funds to distribute certain advertising materials bearing his or her name or likeness; prohibiting a public official from using public funds or public employees for entertainment purposes within 45 days of a primary, general, or special election in which the public official is a candidate; defining terms; making exceptions; and permitting the Ethics Commission to promulgate rules. Ms. Stepto reported that House Bill 2457 is on the Governor's desk for signature.

WHEREUPON, Chairperson Wolfe called upon Mr. Visnic to present Contract Exemption Request 2015-02 for consideration.

WHEREUPON, Mr. Visnic presented Contract Exemption Request 2015-02 to the Commission for consideration. After discussion, a motion was made by Commissioner Singleton to approve the opinion denying an exemption, and Commissioner Buckalew seconded. The motion passed, with Commissioner Walker opposed.

WHEREUPON, Chairperson Wolfe called upon Ms. Stepto to present miscellaneous matters.

WHEREUPON, the Commission reviewed purchases on the P-Card monthly report. A motion was made by Commissioner Ireland, and seconded by Commissioner Tweel, that the report be accepted. The motion carried.

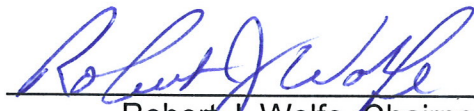
Ms. Stepto reported that the lobbyist audit has been completed by Rowan & Associates, CPA. Mr. Rowan requested documentation from 20 randomly selected lobbyists to support the expenditures which they reported in the three Lobbyist Activity Reports filed in 2012 and 2013. None of the lobbyists filed responses to Mr. Rowan's reports. After discussion, a motion was made by Commissioner Ireland that with respect to 17 of the 20 audits, no further activity is required by Mr. Rowan; that there is

no information disclosed in the reports relating to lobbyist compensation or other information which is not required to be disclosed pursuant to West Virginia Code § 6B-3-1 et seq.; and that the reports be final. Commissioner Ireland further moved that the following three lobbyists who were audited not be approved pending confirmation of compliance from Mr. Rowan: Reg. 90657; Reg. 682; and Reg. 517. Commissioner Buckalew gave a second, and the motion carried.


Ms. Stepto requested approval for H. E. "Trigg" Salsbery to serve as an Administrative Law Judge ("ALJ") for the Commission. A motion for approval of Mr. Salsbery as an ALJ was given by Commissioner Tweel, and a second was given by Commissioner Greer. The motion carried. Ms. Stepto reminded the Commissioners that Procedural Rule, Series 17, Hearings, states that "The hearing examiner will be selected by the chairperson of the Commission, subject to approval at the next meeting by a majority vote of the Commission members present and voting."

Chairperson Wolfe stated there were no more items for discussion. Commissioner Singleton made a motion to adjourn, and Commissioner Ireland seconded. The meeting was adjourned.

The foregoing minutes of the West Virginia Ethics Commission were approved unanimously at the April 2, 2015, meeting.

  
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Robert J. Wolfe, Chairperson  
West Virginia Ethics Commission

ATTEST:

  
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M. Ellen Briggs, Special Executive Assistant  
to the Executive Director  
West Virginia Ethics Commission