

**MINUTES OF THE NOVEMBER 3, 2011  
MEETING OF THE WEST VIRGINIA ETHICS COMMISSION**

The November 3, 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 Kemp Morton. Also present in person were members Jack Buckalew, Frank Deem and Father Douglas Sutton. Members Drema Radford, Ron Salmons and Monte' Williams participated via telephone. Member Jonathan Turak 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 in attendance from the Commission staff.

WHEREUPON, Chairperson Morton asked for approval of the October 6, 2011 Commission Meeting minutes.

WHEREUPON, Mr. Buckalew made a motion to approve the minutes of the October 6, 2011 meeting and Father Douglas Sutton seconded. The motion passed unanimously 7-0.

WHEREUPON, Chairperson Morton announced the next meeting of the WV Ethics Commission is scheduled for December 1, 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 session which had been conducted and the passing of Lobbyist Randy Cox.

WHEREUPON, Chairperson Morton, with unanimous consent, deferred the consideration of other agenda items to allow Roger L. Wolfe, Former Mayor of Dunbar to address the Commission regarding the agenda item relating to the consideration of options to collect fines and reimbursement from Roger L. Wolfe (in complaint VCRB 2008-20).

WHEREUPON, Roger L. Wolfe, Former Mayor of Dunbar gave an oral statement to the Commission, and then exited the meeting after he spoke.

WHEREUPON, the Commission took up the agenda item relating to Mr. Wolfe and VCRB 2008-20, at which time, Mr. Buckalew made a motion for the Commission to enter into executive session to discuss options to collect fines and reimbursement (relating to expenses) from Roger L. Wolfe, Former Mayor of Dunbar (VCRB 2008-20), including, without limitation, filing suit in Kanawha County Circuit Court. The motion was unanimously approved.

WHEREUPON, after coming out of executive session, Mr. Buckalew made a motion for the Commission to proceed to file a suit in Kanawha County Circuit Court

against Roger L. Wolfe, Former Mayor of Dunbar to collect fines and reimbursement (for fees and expenses) and Father Douglas Sutton seconded. The motion passed unanimously 7-0.

WHEREUPON, Chairperson Morton called upon Ms. Parker to present Advisory Opinion 2011-14 (tabled at the October 6, 2011 Commission meeting) to the Commission for consideration.

WHEREUPON, Ms. Parker presented Advisory Opinion 2011-14 to the Commission for consideration. After discussion, Father Douglas Sutton made a motion to accept Advisory Opinion 2011-14 and Mr. Buckalew seconded. The motion passed unanimously 7-0.

WHEREUPON, Chairperson Morton called upon Ms. Kirk to present Advisory Opinion 2011-15 to the Commission for consideration.

WHEREUPON, Ms. Kirk presented Advisory Opinion 2011-15 to the Commission for consideration. After discussion, Father Douglas Sutton made a motion to accept Advisory Opinion 2011-15 and Mr. Buckalew seconded. The motion passed unanimously 7-0.

WHEREUPON, Ms. Kirk presented Advisory Opinion 2011-16 to the Commission for consideration. After discussion, Father Douglas Sutton made a motion to accept Advisory Opinion 2011-16 and Mr. Buckalew seconded. The motion passed unanimously 7-0.

WHEREUPON, Chairperson Morton called upon Ms. Parker to present Contract Exemption 2011-04 to the Commission for consideration.

WHEREUPON, Ms. Parker presented Contract Exemption 2011-04 to the Commission for consideration. After discussion, Father Douglas Sutton made a motion to adopt Contract Exemption 2011-04 and Mr. Deem seconded. The motion passed unanimously 7-0.

WHEREUPON, Chairperson Morton noted there were no 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 2011-18 requested by Robert L. True, Jr., EE 2011-19 requested by Conrad R. Baston and EE 2011-20 requested by Frank Joseph Hass, ALJ. After discussion, Mr. Buckalew made a motion to ratify the requests and Mr. Turak 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 and Ms. Suchy presented information to the Commission to consider lobbyist Keith Maynard's request for waiver of the fee for filing his lobbyist report late. After discussion, Mr. Buckalew made a motion to waive Mr. Maynard's fee for filing his lobbyist report late and Mr. Deem seconded. The motion passed unanimously 7-0.

WHEREUPON, Ms. Suchy provided an extensive overview of the revised financial disclosure statement to the Commission. Ms. Suchy also discussed posting the financial disclosure statements on the WVEC website.


WHEREUPON, Ms. Kirk presented information to the Commission to authorize a random drawing of 20 registered lobbyists for audit. After discussion, Mr. Buckalew made a motion to authorize the random drawing of 20 registered lobbyist and Mr. Deem seconded. The motion passed unanimously 7-0.

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

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 December 1, 2011 WVEC meeting.

  
Kemp Morton, Chairperson  
West Virginia Ethics Commission

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