

## Happy Fall from the Ethics Commission

The next virtual training on the Ethics Act and the Open Meetings Act is on **December 1** at 12 noon - 1 hour CLE/CPE credit. Email [kimberly.b.weber@wv.gov](mailto:kimberly.b.weber@wv.gov) for an invite.

### Meet the WV Ethics Commissioners

Currently, the Commission has seven members and two vacancies. W. Va. Code § 6B-2-1 provides the eligibility requirements for serving on the Ethics Commission.

**Robert Wolfe**, Chairman, was appointed to the Commission in 2012. Mr. Wolfe is a former Logan County School Board Member. He resides in Man, Logan County, and is a Democrat.

**Terry Walker** was appointed to the Commission in 2012. Mr. Walker is a former West Virginia Legislator and serves as the rural representative on the Commission. He resides in Kearneysville, Jefferson County, and is a Democrat.

**Suzan Singleton** was appointed to the Commission in 2013. Ms. Singleton is a former City Clerk for the City of Glendale. She resides in Moundsville, Marshall County, and is an Independent.

**Karen Disibbio** was appointed to the Commission in 2014. Ms. Disibbio is a former Raleigh County Commissioner. She resides in Bluefield, Mercer County, and is a Democrat.

**Robert Harman** was appointed to the Commission in 2017. Mr. Harman is a former West Virginia Legislator. He resides in Keyser, Mineral County, and is a Republican.

**Lynn Davis** was appointed to the Commission in 2017. Ms. Davis is a citizen member. She resides in Wellsburg, Brooke County, and is a Republican.

**Joshua Cottle** was appointed to the Commission in 2023. Mr. Cottle is a citizen member. He resides in Culloden, Cabell County, and is an Independent.



***“Hey, is the school board going to hire a new superintendent tonight? All the agenda says is ‘Personnel Matters.’”***

Agendas must give reasonable notice to the public of what issues will be dealt with or discussed - even if voting is not expected until a later meeting. Generic descriptions are insufficient. For example, if a board of education is going to discuss hiring a new superintendent, an appropriate agenda item would be “Hiring the new county superintendent.” See OMAOs [2001-13](#), [2001-23](#), [2001-26](#), [2002-05](#), [2004-10](#), [2004-13](#), [2006-14](#). Other examples are below:

#### Insufficient

v.

#### Sufficient

“Disciplinary Action”

“Conduct a disciplinary hearing for an employee”

“New Business”

“Building a new football field at the middle school”

“Parliamentary matters”

“Eliminate public comment periods at public meetings “

“Old business”

“Replacement of air conditioning system at the central office”

## New Advisory Opinions

**2023-08** A City Sanitary Board may allow an employee or his parents to participate in the Board's biosolids program and may upgrade a biosolids storage area on the employee's parents' property if the Board determines that the upgrade will provide an overriding public benefit.

**2023-09** A state college employee may serve as a Legislator subject to the other restrictions in the Act. The Legislator need not recuse himself from voting on legislation or appropriations that benefit his public employer. Partially overrules Advisory Opinions 2012-19 and 2012-23. See also Article 6, Section 13, of the West Virginia Constitution.

**2023-10** City officials may solicit donations for the City's free, outdoor concert series held in its amphitheater via GoFundMe or similar crowdsourced funding. The officials must follow the manner of solicitation limitations found in W. Va. Code R. §158-7-6 and 7 and should seek advice from an accountant or the Auditor's Office about rules governing the receipt of electronic donations through these types of computer applications.



**2023-11** A Prosecutor may employ spouses as assistant prosecutors as long as the Act's nepotism provision and the applicable Legislative Rule are followed. Assistant prosecuting attorneys do not per se have any voice, influence, or control over the employment contracts of the other assistant prosecutors in the prosecutor's office.



**2023-12** A County Commissioner may be employed by a nonprofit organization to which the Commission appropriated funds if they are less than seven percent of the nonprofit's fiscal year revenues and are not used to pay his salary.

(7%)



## Calling All Candidates

Are you thinking about running for public office? To assist you in understanding the rules, the Ethics Commission has published an [Election Booklet](#) containing guidance on Ethics Act rules and other laws within the Commission's jurisdiction governing campaigns and successful candidates once they are sworn into office. More helpful information about elections may also be found in our [October 2019 Newsletter](#).

If you are interested in becoming a candidate for judicial office, there is a free webinar on November 16 from 9:00 a.m. to noon sponsored by the Supreme Court of Appeals of West Virginia, the Judicial Investigation Commission, the West Virginia Secretary of State's Office, and the West Virginia Ethics Commission. To learn more about the webinar, "**So You Wanna Be a Judge: Running for Judicial Office**," or to register online, click [here](#).