

BEFORE THE WEST VIRGINIA ETHICS COMMISSION

In Re:

RICHARD MARTIN,

COMPLAINT NO. VCRB 2024-116

**Former Mayor, City of Reedy,
Respondent**

STATEMENT OF CHARGES

The Probable Cause Review Board of the West Virginia Ethics Commission entered an Order on July 16, 2025, finding that there is probable cause to believe that the former Mayor of Reedy, WV, Richard Martin the Respondent in the above-referenced Complaint, violated the following provision in the Ethics Act when he utilized funds from the Reedy maintenance account to pay his personal electric bill, rehired his father as an employee shortly after the latter received retirement gifts and/or bonuses, and took thousands of dollars in bingo/raffle cash proceeds that belonged to the city.

W. Va. Code § 6B-2-5(b)(1) provides:

A public official or public employee may not knowingly and intentionally use his or her office or the prestige of his or her office for his or her own private gain or that of another person. Incidental use of equipment or resources available to a public official or public employee by virtue of his or her position for personal or business purposes resulting in de minimis private gain does not constitute use of public office for private gain under this subsection. The performance of usual and customary duties associated with the office or position or the advancement of public policy goals or constituent services, without compensation, does not constitute the use of prestige of office for private gain.

W. Va. Code R. § 158-6-5.2 (2022)

Improper Use - Public officials and public employees shall not use government property for personal projects or activities that result in private gain.

W. Va. Code § 6B-2-5(b)(4) provides:

A public official or public employee may not show favoritism or grant patronage in the employment or working conditions of his or her relative or a person with whom he or she resides: Provided, That as used in this subdivision, "employment or working conditions" shall only apply to government employment: Provided, however, That government employment includes only those governmental entities specified in subsection (a) of this section.

W. Va. Code R. § 158-6-3 (2022) provides:

3.1. As used in this section, the term "nepotism" means favoritism shown or patronage granted in employment or working conditions by a public official or public employee to a relative or person with whom the public official or public employee resides.

3.2. As used in this section, the term "relative" means spouse, mother, father, sister, brother, son, daughter, grandmother, grandfather, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, or daughter-in-law.

3.3. As used in this section, the term "supervise" or "supervision" means reviewing, auditing or evaluating work, or taking part in discussions or making recommendations concerning employment, assignments, compensation, bonuses, benefits, discipline, or related matters.

3.4. Nepotism constitutes improper use of office for private gain.

3.5. A public official or employee may not influence or attempt to influence the employment or working conditions of his or her relative or a person with whom he or she resides.

3.6. A public agency, including its officials and employees, must administer the employment and working conditions of a relative of a public employee or a public official or a person with whom the public official or employee resides in an impartial manner.

3.6.1. A public official or public employee may not participate in decisions affecting the employment and working conditions of his or her relative or a person with whom he or she resides unless required by law and an independent third party is involved in the process.

3.6.2. A public official or public employee may not directly supervise a relative or a person with whom he or she resides. This prohibition does not extend to matters affecting a class of five or more similarly situated employees.

3.6.3. A public official or public employee may not use a subordinate as an independent third party required by subdivision 3.6.1 of this section. This prohibition does not apply to an elected public official who may not lawfully delegate powers of his or her office (for example, a sheriff, county assessor, or county clerk).

3.7. A public official may not vote on matters affecting the employment or working conditions of a relative or person with whom the public official resides unless such relative or person is a member of a class of five or more similarly situated persons affected. For a public official's recusal to be effective, he or she must excuse himself or herself from participating in the discussion and decision-making process by physically removing himself or herself from the room during the period in which the matter is under consideration, fully disclosing his or her interests, and recusing himself or herself from voting on the issue.

3.8. Certain county public officials and local board of education officials and employees are subject to the stricter limitations in W. Va. Code § 61-10-15. Other provisions in the Code or a public agency's own policies, rules, regulations, ordinances, or charters may further limit or prohibit the hiring of a relative or a person with whom a public official or employee resides.

The Order directed that this Statement of Charges be prepared and that the matter be scheduled for a public hearing to determine the truth or falsity of the charges.

Jurisdiction

1. Richard Martin, ("Respondent" or "Martin") was the Mayor of the City of Reedy at all times pertinent herein.
2. Martin was a "public official" as defined in the Ethics Act, at W. Va. Code § 6B-1-3(k).

3. The Ethics Commission has jurisdiction over alleged violations of the West Virginia Ethics Act committed by public employees or officials, such as Martin. W. Va. Code §§ 6B-1-1 through 6B-3-11.

Facts

4. On or about July 25, 2024, the Respondent used public funds from the Reedy Maintenance Account to pay his personal electric bill.

5. The Respondent's father worked for the City of Reedy, WV, until and/or about May of 2024 when he was allowed to retire with certain unearned benefits as a retirement benefit/gift. The Respondent then, in or about the month of June 2024, rehired his father without approval of city council.

6. In 2024, the Respondent took thousands of dollars in bingo/raffle cash proceeds that belonged to the city.

Count One

Use of City funds to pay the Respondent's personal electric bill

7. The allegations set forth in paragraphs 1 through 6 are re-alleged and incorporated herein by reference.

8. On or about July 25, 2024, Martin violated W. Va. Code § 6B-2-5(b) by using public funds from the Reedy Maintenance Account to pay his personal electric bill. The Respondent's act constituted the use of public office for the private gain of himself.

Count Two

Hiring of his father to work for the City of Reedy after he had retired

9. The allegations set forth in paragraphs 1 through 6 are re-alleged and incorporated herein by reference.

10. In or about May and June 2024, Martin violated W. Va. Code § 6B-2-5(b)(4) by rehiring his father without approval of city council. The Respondent's act is one of nepotism, and constituted the use of public office for the private gain of his father.

Count Three

Taking cash from the City of Reedy Bingo/Raffle cash box

11. The allegations set forth in paragraphs 1 through 6 are re-alleged and incorporated herein by reference.

12. In 2024, Martin violated W. Va. Code § 6B-2-5(b) by taking thousands of dollars in bingo/raffle cash proceeds belonging to the City for his own personal use. The Respondent's act constituted the use of public office for the private gain of himself.

Dated: July 17, 2025



Kimberly B. Weber
Executive Director

BEFORE THE WEST VIRGINIA ETHICS COMMISSION

In Re:

RICHARD MARTIN,

COMPLAINT NO. VCRB 2024-116

Former Mayor, Town of Reedy, Respondent

CERTIFICATE OF SERVICE

I, Kimberly B. Weber, Executive Director of the West Virginia Ethics Commission, hereby certify that I mailed a true and complete copy of the foregoing **PROBABLE CAUSE ORDER, STATEMENT OF CHARGES, and NOTICE OF HEARING** on July 18, 2025, to:

Via Certified Mail, Return Receipt Requested:

Richard Martin
130 Locust Street
Reedy, WV 25270
Respondent

Via Email and Hand Delivery:

John N. Ellem, Esquire
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