

West Virginia Ethics Commission

Meeting Minutes November 7, 2024

The November 7, 2024, meeting of the West Virginia Ethics Commission was called to order in the Commission's office at 210 Brooks Street, Charleston, West Virginia, at 10:00 a.m. by Chairperson Wolfe. Commissioners and the public were invited to attend in person, via video link, and via telephone.

Present

Robert J. Wolfe, Commission chairperson
D. Blake Carter, Jr., Commission member (by telephone)
Joshua Cottle, Commission member (by telephone)
Lynn Davis, Commission member (by telephone)
Karen Disibbio, Commission member (by telephone)
Robert Harman, Commission member (by telephone)
Jordan K. Herrick, Commission member
Suzan Singleton, Commission member (virtual)
Kimberly B. Weber, Executive Director
John Roush, Interim General Counsel
John N. Ellem, Deputy General Counsel
Kateland Cantrell, Lobbyist Registrar/Paralegal
Rachel Carpenter, Executive Assistant
M. Ellen Briggs, Executive Assistant

Absent

Terry Walker, Commission member

Call to Order and Action on Complaints

Mr. Wolfe called the meeting to order and recognized Edmond J. Rollo, the attorney representing Lillie Junkins and James Marino, the Respondents of VCRB 2022-02 and VCRB 2022-04. Mr. Marino was also present. Mr. Wolfe advised Mr. Roush, counsel for the Complainant, and Mr. Rollo that each would be given ten minutes to present their cases to the Commission. Mr. Wolfe requested that a roll call be taken. After roll call, Commissioner Herrick recused himself and left the meeting room. Mr. Rollo and Mr. Roush gave oral arguments in these two complaint matters. After both made their presentations, Mr. Wolfe called for a motion to go into executive session.

Executive Session

Ms. Singleton moved that the Ethics Commission go into Executive Session, pursuant to W. Va. Code § 6B-2-4(s), W. Va. Code § 6-9A-4(12), the attorney-client privilege,

deliberative process privilege, and the exception in the Open Meetings Act for adjudicatory sessions, to consider a Final Decision in Verified Complaints 2022-02 and VCRB 2022-04, Junkins and Marino. Ms. Disibbio gave a second, and the motion carried as follows:

Carter - aye
Davis - aye
Disibbio - aye
Harman - aye
Singleton - aye
Wolfe - aye

PUBLIC SESSION

The Commission returned to Public Session, and a roll call was taken. Mr. Harman left the meeting after the Executive Session ended, and Mr. Cottle joined the meeting in Public Session.

ACTION ON COMPLAINTS

After deliberation, a motion was made by Ms. Singleton that the “Final Decision and Order” of the Hearing Examiner’s “Findings of Fact and Conclusions of Law” and “Proposed Sanctions” in the matters of VCRB 2022-02 and VCRB 2002-04, Junkins and Marino, be modified as follows: (1) Public Reprimands; (2) Respondents shall pay a fine in the amount of \$200; (3) Respondents shall reimburse the West Virginia Ethics Commission for half of the total actual costs of investigating and prosecuting the violations totally \$2,196.12 each, and (4) Respondents shall undergo training on the West Virginia Governmental Ethics Act. Ms. Disibbio seconded the motion, which carried as follows:

Carter- aye
Cottle- aye
Davis- aye
Disibbio- aye
Singleton- aye
Wolfe- aye

Approval of Minutes

Mr. Herrick returned to the meeting room, and Mr. Rollo and Mr. Marino left. Ms. Singleton made a motion to approve the minutes of the Commission’s September 5, 2024, meeting. Ms. Disibbio seconded the motion, and the motion carried as follows:

Carter – aye
Cottle – aye
Davis – aye

Disibbio – aye
Herrick - aye
Singleton – aye
Wolfe – aye

Recap of Previous Month

Ms. Weber provided a summary of news and developments relating to the Ethics Commission during the previous month. Mr. Herrick was welcomed to the Commission as a member and introduced himself.

Employment Exemption Requests

Ms. Weber asked the Commission to ratify the following temporary employment exemptions that she had granted since the last Commission meeting.

EE 2024-61

Jason Arnold, Transportation Engineering Technician Trainee, Department of Transportation, Division of Highways

EE 2024-62

Chadwick Vance, TRET IV, Facilities Compliance Coordinator, Department of Transportation, Division of Highways

EE 2024-63

Jack Harden, II, Project Engineer, Department of Transportation, Division of Highways

EE 2024-64

Carl Bulson, Staff Engineer/Transportation Engineer Trainee, Department of Transportation, Division of Highways

EE 2024-65

Clinton Craddock, Safety Instructor, WV Office of Miners Health, Safety, and Training

EE 2024-66

Sebastian Mccllease, Transportation Engineer Technician Trainee, Department of Transportation, Division of Highways

EE 2024-67

Chad E. Robinson, Assistant District Engineer-Bridge, Department of Transportation, Division of Highways

EE 2024-68

Russell L. Kees, Assistant Director, Contract Administration, Department of Transportation, Division of Highways

EE 2024-69

J. Berkeley Bentley, General Counsel, Office of the Governor

EE 2024-70

Johnnie A. Gavin, TRETSP, District 1, Project Supervisor, Department of Transportation, Division of Highways

EE 2024-71

Joshua S. Vincent, Transportation Engineer Associate, Department of Transportation, Division of Highways

EE 2024-72

Erin K. Hunter, Deputy Commissioner and General Counsel, Office of the Insurance Commissioner

EE 2024-73

Matthew Irby, Tax Commissioner, West Virginia Tax Division

EE 2024-74

Douglas Kirk, Chief Engineer of Environmental Compliance, Department of Transportation, Division of Highways

Ms. Singleton moved that Employment Exemptions 2024-61 through 2024-74 be ratified. Mr. Carter seconded the motion, and the motion carried as follows:

Carter – aye
Cottle – aye
Davis – aye
Disibbio – aye
Herrick – aye
Singleton – aye
Wolfe – aye

School Board Advisory Opinion Request

Mr. Wolfe called upon Mr. Roush to present [School Board Advisory Opinion 2024-04](#) to the Commission for consideration. Mr. Roush presented the proposed Advisory Opinion. Mr. Carter made a motion that the School Board Advisory Opinion be approved as presented. Ms. Singleton seconded the motion, and the motion carried as follows:

Carter – aye
Cottle – aye
Davis – aye
Disibbio – aye
Herrick – aye
Singleton – aye
Wolfe – aye

Approve Purchasing Card Monthly Report

The Commission reviewed the purchasing card monthly report for August 2024. No purchases were made in September. Ms. Weber reported that invoices were available for review and recommended that the purchases be approved. A motion was made by Mr. Carter to approve the report as presented. Ms. Davis seconded the motion, and the motion carried as follows. The purchasing card monthly report is attached to these minutes and incorporated herein.

Carter – aye
Cottle – aye
Davis – aye
Disibbio – aye
Herrick - aye
Singleton – aye
Wolfe – aye

Adjournment


Mr. Carter made a motion to adjourn, and Ms. Davis seconded the motion. The motion carried as follows, and the meeting was adjourned.

Carter – aye
Cottle – aye
Davis – aye
Disibbio – aye
Herrick – aye
Singleton – aye
Wolfe – aye

The foregoing minutes of the West Virginia Ethics Commission were approved at the Commission's December 5, 2024, meeting.

ATTEST: 

Rachel Y. Carpenter, Executive Assistant
West Virginia Ethics Commission



Robert J. Wolfe, Chairperson
West Virginia Ethics Commission

