

## **West Virginia Ethics Commission**

### **Meeting Minutes November 5, 2020**

The November 5, 2020, 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 Robert J. Wolfe. Most Commissioners attended via telephone due to the Coronavirus pandemic. The public was invited to attend via telephone due to the pandemic.

#### **Present**

Robert J. Wolfe, Commission chairperson  
Lindsey Ashley, Commission member (by telephone)  
Lynn Davis, Commission member (by telephone)  
Karen Disibbio, Commission member (by telephone)  
Robert Harman, Commission member (by telephone)  
Suzan Singleton, Commission member (by telephone)  
Terry Walker, Commission member (by telephone)  
Monté Williams, Commission member (by telephone)  
Kimberly B. Weber, Executive Director  
Theresa M. Kirk, General Counsel  
M. Ellen Briggs, Executive Assistant

#### **Approve Minutes**

Mr. Harman made a motion to approve the minutes of the Commission's October 1, 2020, meeting. Ms. Singleton seconded the motion, which passed as follows:

Ashley – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Williams – not present  
Wolfe – aye

#### **Recap of Previous Month**

Ms. Weber provided a summary of news and developments relating to the Ethics Commission during the previous month.

## **Employment Exemption Requests**

### EE 2020-27

Steven B. Cole, District Engineer/Manager, Department of Transportation,  
Division of Highways

### EE 2020-28

Andrew Howard, Financial Institutions Examiner, Assistant, Division of  
Financial Institutions

Ms. Singleton moved that Employment Exemptions 2020-27 and 2020-28 be ratified. Ms. Disibbio seconded the motion, which passed as follows:

Ashley – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Williams – aye  
Wolfe – aye

## **Advisory Opinion 2020-14**

Mr. Wolfe called upon Ms. Kirk to present Advisory Opinion 2020-14 to the Commission for consideration. Ms. Kirk presented the proposed Advisory Opinion. Ms. Disibbio made a motion that the Advisory Opinion be approved as presented. Ms. Singleton seconded the motion, which passed as follows:

Ashley – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Williams – aye  
Wolfe – aye

## **Contract Exemption 2020-08**

Mr. Wolfe called upon Ms. Weber to present Contract Exemption 2020-08, in which the Clay County Commission asked to continue using King's Trucking & Wrecker Service, which is owned by County Commissioner Fran King. Ms. Weber presented the proposed Contract Exemption, and Commissioner King, who was present via telephone, addressed the Commission. Ms. Singleton made a motion that the Contract Exemption be approved as presented. Mr. Harman seconded the motion, which passed as follows:

Ashley – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Williams – aye  
Wolfe – aye

### **Approve P-card Monthly Report**

The Commission reviewed purchases on the P-card monthly report for September 2020. Ms. Davis moved that the report be accepted as presented. Ms. Disibbio seconded the motion, which passed as follows:

Ashley – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Williams – aye  
Wolfe – aye

### **Executive Session Motions**

A motion was made by Ms. Singleton to go into executive session, pursuant to W. Va. Code § 6-9A-4(b)(2)(A), relating to matters arising from the appointment, employment, retirement, promotion, transfer, demotion, disciplining, resignation, discharge, dismissal or compensation of a public officer or employee, to review and discuss the personnel evaluations report from the Personnel Committee. Ms. Disibbio seconded the motion, which passed as follows:

Ashley – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Williams – aye  
Wolfe – aye

A motion was made by Mr. Harman to go into executive session, pursuant to W. Va. Code § 6-9A-4(12), to consider making a referral to the appropriate county prosecutor in VCRB 2020-77 pursuant to W. Va. Code § 6B-2-4(w)(1). Ms. Disibbio seconded the motion, which passed as follows:

Ashley – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Williams – aye  
Wolfe – aye

### **Personnel Committee Report**

The Commission returned to public session. A motion was made by Mr. Walker that the Commission accept the personnel evaluations report of all staff as presented by Ms. Weber. Mr. Harman seconded the motion, which passed as follows:

Ashley – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Williams – aye  
Wolfe – aye

### **Criminal Referral**

Mr. Walker moved that, pursuant to W. Va. Code § 6B-2-4(w)(1), the Commission make a referral in VCRB 2020-77 to the appropriate county prosecutor. Ms. Singleton seconded the motion, which passed as follows:

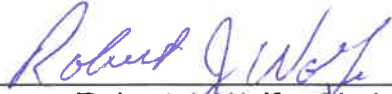
Ashley – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Williams – aye  
Wolfe – aye

### **Adjournment**


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

Ashley – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Williams – aye  
Wolfe – aye

The foregoing minutes of the West Virginia Ethics Commission were approved at the Commission's January 7, 2021, meeting.

  
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Robert J. Wolfe, Chairperson  
West Virginia Ethics Commission

ATTEST:

  
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M. Ellen Briggs, Executive Assistant  
West Virginia Ethics Commission