

**Minutes of the April 6, 2017
Meeting of the West Virginia Ethics Commission**

The April 6, 2017, 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. Present in person at the meeting were Chairperson Wolfe and Commissioner Lawrence Tweel. Commissioners Karen Disibbio, Suzan Singleton, Terry Walker and Monté Williams participated by telephone. Commissioner Betty S. Ireland was absent. Executive Director Rebecca L. Stepto, General Counsel Kimberly B. Weber, Staff Attorney Theresa M. Kirk, Staff Attorney Derek A. Knopp and Special Assistant to the Executive Director M. Ellen Briggs, all from the Commission staff, were present.

WHEREUPON, Chairperson Wolfe asked for approval of the March 2, 2017, Commission meeting minutes.

WHEREUPON, Commissioner Tweel made a motion to approve the minutes of March 2, 2017. Commissioner Disibbio gave a second. The motion passed.

WHEREUPON, Ms. Stepto gave a recap of the previous month.

WHEREUPON, Chairperson Wolfe called upon Ms. Stepto to present Employment Exemption requests.

WHEREUPON, Ms. Stepto presented Employment Exemption 2017-10 requested by David Tincher, Director, Purchasing Division, Department of Administration. After discussion, Commissioner Tweel made a motion that Employment Exemption 2017-10 be ratified. Commissioner Walker gave a second, and the motion carried.

WHEREUPON, Chairperson Wolfe requested, and the Commission granted, approval to change the order of the agenda.

WHEREUPON, Chairperson Wolfe called upon Ms. Kirk to present proposed Contract Exemption 2017-02 for consideration.

WHEREUPON, Ms. Kirk presented proposed Contract Exemption 2017-02 to the Commission for consideration. Representatives for the requesting entity were present to answer questions of the Commission. After questions and discussion, a motion was made by Commissioner Tweel to accept the proposed Contract Exemption with an amendment. Commissioner Disibbio gave a second, and the motion carried.

WHEREUPON, Chairperson Wolfe called upon Ms. Weber to present proposed Advisory Opinion 2017-08.

WHEREUPON, Ms. Weber presented proposed Advisory Opinion 2017-08 to the Commission for consideration. After discussion, a motion was made by Commissioner Tweel to accept the proposed Advisory Opinion with an amendment. Commissioner Williams gave a second, and the motion carried.

WHEREUPON, Chairperson Wolfe called upon Mr. Knopp to present proposed Advisory Opinion 2017-09 for consideration.

WHEREUPON, Mr. Knopp presented proposed Advisory Opinion 2017-09 to the Commission for consideration. After discussion, a motion was made by Commissioner Tweel to accept the proposed Advisory Opinion with an amendment. Commissioner Singleton gave a second, and the motion carried.

WHEREUPON, Chairperson Wolfe called upon Ms. Weber to present proposed Advisory Opinion 2017-10.

WHEREUPON, Ms. Weber presented proposed Advisory Opinion 2017-10 to the Commission for consideration. After discussion, a motion was made by Commissioner Tweel to accept the proposed Advisory Opinion. Commissioner Singleton gave a second, and the motion carried.

WHEREUPON, Chairperson Wolfe called upon Ms. Weber to present proposed Advisory Opinion 2017-11.

WHEREUPON, Ms. Weber presented proposed Advisory Opinion 2017-11 to the Commission for consideration. After discussion, a motion was made by Commissioner Singleton to accept the proposed Advisory Opinion. Commissioner Tweel gave a second, and the motion carried.

WHEREUPON, Chairperson Wolfe called upon Ms. Kirk to present proposed Advisory Opinion 2017-12.

WHEREUPON, Ms. Kirk presented proposed Advisory Opinion 2017-12 to the Commission for consideration. After discussion, a motion was made by Commissioner Tweel to accept the proposed Advisory Opinion. Commissioner Disibbio gave a second, and the motion carried.

WHEREUPON, Chairperson Wolfe called upon Ms. Kirk to present proposed Property Exemption 2017-01.

WHEREUPON, Ms. Kirk presented proposed Property Exemption 2017-01 to the Commission for consideration. After discussion, a motion was made by Commissioner

Tweel to accept the proposed Property Exemption. Commissioner Singleton gave a second, and the motion carried.

WHEREUPON, the Commission reviewed the P-Card monthly report for February. Commissioner Tweel moved and Commissioner Disibbio seconded that the report be accepted. The motion carried.

WHEREUPON, the Commission considered whether to place all Conciliation Agreements, or only those which contain a "public reprimand," on the Commission's website. Ms. Stepto reported that the Commission had voted on July 8, 2010, to include only Conciliation Agreements which contained a "public reprimand" on the website. A motion was made by Commissioner Tweel that based upon the West Virginia Code, staff be authorized to put all Conciliation Agreements on the website, prospectively. Commissioner Singleton gave a second, and the motion carried.

WHEREUPON, Chairperson Wolfe declared a conflict of interest in the following matter and requested Commissioner Tweel to serve as acting Chairperson. Chairperson Wolfe left the meeting room.

WHEREUPON, Acting Chairperson Tweel asked for a motion to go into executive session.

WHEREUPON, Commissioner Singleton moved that the Commission go into executive session, pursuant to W.Va. Code § 6-9A-4(12), to consider making a criminal referral to the appropriate county prosecutor in CIC 2017-01 pursuant to W.Va. Code § 6B-2-4(w)(1). Commissioner Disibbio gave a second, and the motion carried.

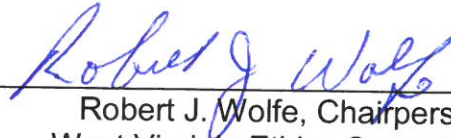
WHEREUPON, the Commission returned to public session, and a motion was made by Commissioner Singleton that pursuant to W.Va. Code § 6B-2-4(w)(1), the Commission make a criminal referral in CIC 2017-01 to the appropriate county prosecutor. Commissioner Disibbio gave a second, and the motion carried.

WHEREUPON, Chairperson Wolfe returned to the meeting room, and a motion was made by Commissioner Singleton that the Commission 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. Commissioner Disibbio gave a second, and the motion carried. All guests and staff, except Ms. Stepto, left the meeting room.

WHEREUPON, the Commission returned to public session, and Chairperson Wolfe stated there were no more items for discussion.

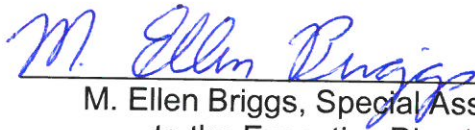
WHEREUPON, Commissioner Tweel made a motion to adjourn, and Commissioner Singleton seconded. The motion passed, and the meeting was adjourned.

The foregoing minutes of the West Virginia Ethics Commission were approved at the May 4, 2017, meeting.



Robert J. Wolfe, Chairperson
West Virginia Ethics Commission

ATTEST:



M. Ellen Briggs, Special Assistant
to the Executive Director
West Virginia Ethics Commission