

**MINUTES OF THE JUNE 4, 2015
MEETING OF THE WEST VIRGINIA ETHICS COMMISSION**

The June 4, 2015, meeting of the West Virginia Ethics Commission was called to order in the Commission's Office located at 210 Brooks Street, Charleston, West Virginia, at 10:00 a.m., by Chairperson Robert Wolfe. Present in person at the meeting were Commissioners Jack Buckalew, Michael Greer, and Robert Wolfe. Commissioners Karen Disibbio, Suzan Singleton, and Lawrence Tweel participated by telephone. Commissioners Betty S. Ireland, Terry Walker, and Monté Williams were absent. Executive Director Rebecca L. Stepto, General Counsel Kimberly B. Weber, Deputy General Counsel Meridith O. Johnstone, Staff Attorney Benjamin Visnic, and Executive Assistant to the Executive Director M. Ellen Briggs, all from the Commission staff, were present.

WHEREUPON, Chairperson Wolfe requested that the agenda order be changed to hold the Adjudicatory Session first. The full Commission concurred.

WHEREUPON, after the Adjudicatory Session concluded, Chairperson Wolfe asked for approval of the May 7, 2015, Commission meeting minutes.

WHEREUPON, Commissioner Singleton made a motion to approve the minutes, and Commissioner Buckalew gave a second. The motion passed unanimously.

WHEREUPON, Chairperson Wolfe called upon Ms. Stepto to give a recap of the previous month.

Ms. Stepto reported that she had emailed the lobbyist activity composite report to all Commission members. There are 405 lobbyists registered with the Ethics Commission. A few voluntarily terminated their registrations, and six or eight lobbyists failed to timely file their spending reports. The composite report and a list of those who failed to file their May 15 activity reports were sent to the Clerks of the House and the Senate as required by the Ethics Act.

Ms. Stepto reported that the "trinkets" rules and statute went into effect on May 28 and now are a part of the Ethics Act. Three inquires have been received. No comments have been received on the proposed Legislative Rules.

A report was given by Ms. Stepto that a contract reporter for the Center for Public Integrity ("CPI") has contacted her with several questions. The reporter has also contacted various officials and Phil Kabler for information. Ms. Stepto thinks that what the Ethics Commission does with the Act as written will pass muster but that there are issues with how the laws are written (i.e., lobbyists not being required to report their income). Ms. Stepto advised that the reporter expects the report to be made public this fall and will notify Ms. Stepto prior to the release. Ms. Stepto advised that she will forward the report to all Commissioners.

Ms. Stepto reported that as of yesterday, the Commission has received 79 ethics complaints for this calendar year. Last year, 143 were received for the whole calendar year.

WHEREUPON, Chairperson Wolfe called upon Mr. Visnic to present proposed Advisory Opinion 2015-09 for consideration.

WHEREUPON, Mr. Visnic presented proposed Advisory Opinion 2015-09 to the Commission for consideration. After discussion, a motion was made by Commissioner Greer to table the draft Opinion, and Commissioner Buckalew seconded. The motion passed. Mr. Visnic reported he will obtain the information requested by the Commission for discussion later in today's meeting or at the next scheduled meeting of the Commission.

WHEREUPON, Commissioner Buckalew made a motion that the Ethics Commission enter into Executive Session to discuss the two Complaints listed on today's agenda. Commissioner Greer gave a second, and the motion carried. All guests and designated staff left the meeting room.

WHEREUPON, the Ethics Commission re-entered public session to discuss action on two Complaints. Guests and staff returned to the meeting room.

Commissioner Singleton moved and Commissioner Disibbio seconded that the Commission accept the Proposed Conciliation Agreement of Robin Capehart, the Respondent in CIC 2012-001. The motion carried.

Commissioner Greer moved and Commissioner Buckalew seconded that the Commission accept the Proposed Conciliation Agreement of Gregory T. Haynes, the Respondent in CIC 2014-004. The motion carried.

WHEREUPON, Chairperson Wolfe called upon Ms. Stepto to present miscellaneous matters.

WHEREUPON, the Commission reviewed purchases on the P-Card monthly report. No corrections or additions were made to the report. The report was accepted as distributed.

WHEREUPON, Ms. Stepto reported that Legislative rules to the Ethics Act requires the Ethics Commission to approve the retention of hearing examiners for complaint matters. She is requesting approval of the following hearing examiners for the upcoming fiscal year: (1) H. F. "Trigg" Salsbery; (2) Denise M. Spatafore, and (3) Jennifer Narog Taylor. Commissioner Greer moved that Mr. Salsbery, Ms. Spatafore, and Ms. Taylor be approved as hearing examiners for the Commission. A second was given by Commissioner Buckalew. The motion carried.

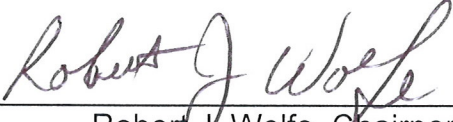
WHEREUPON, Chairperson Wolfe stated that the July 2, 2015, meeting of the Commission is a tentative date which is dependent on the items on the agenda. Chairperson Wolfe complimented the staff on collecting fines and money. Ms. Stepto advised that she will forward an email to Commission members with the total collected in fines to date.

WHEREUPON, a motion was made by Commissioner Disibbio to take from the table the motion relating to Advisory Opinion 2015-09 and bring it to the Commission again. Commissioner Singleton seconded the motion, and the motion carried.

WHEREUPON, Ms. Weber reported on the new information obtained by Mr. Visnic relating to Advisory Opinion 2015-09. After discussion, a motion was made by Commissioner Singleton to approve the draft Opinion, and Commissioner Greer seconded. The motion passed,

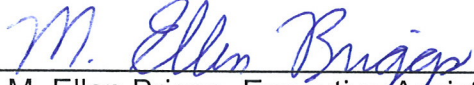
WHEREUPON, Chairperson Wolfe stated there were no more items for discussion. Commissioner Buckalew made a motion to adjourn, and Commissioner Singleton seconded. The meeting was adjourned.

The foregoing minutes of the West Virginia Ethics Commission were approved unanimously at the August 6, 2015, meeting.



Robert J. Wolfe, Chairperson
West Virginia Ethics Commission

ATTEST:



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