

**MINUTES OF THE APRIL 9, 2015
MEETING OF THE WEST VIRGINIA ETHICS COMMISSION**

The April 9, 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 Betty S. Ireland, Lawrence Tweel, and Robert Wolfe. Commissioners Jack Buckalew, Karen Disibbio, and Suzan Singleton participated by telephone. Commissioners Michael Greer, 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 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 12, 2015, Commission meeting minutes.

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

WHEREUPON, Chairperson Wolfe reported that the next Commission meeting is scheduled for May 7, 2015. The following 2015 proposed dates for Commission meetings were discussed, noting that the dates are subject to change:

June 4	October 1
July 2	November 5
August 6	December 3
September 3	

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

Ms. Stepto reported that staff continues to receive and review completed Financial Disclosure Statements. Contact has been made, via email and telephone, to those officials who have not filed their Disclosures. Disclosures which have been filed by Legislators, elected members of the executive department and members of the Supreme Court have been uploaded onto the Commission's website. A temporary employee has been hired to assist with the Financial Disclosure Statements.

A report was given by Ms. Stepto that the Fiscal Year 2016 budget appropriation for the Ethics Commission is \$706,575. The FY 2015 budget appropriation was \$708,736. Expenses will increase for the remainder of this fiscal year due primarily to costs associated with the Commission's public hearings. The Cabinet Secretary for Administration recently transferred \$35,000 to the Commission's budget for this fiscal year.

Ms. Stepto reported that three public hearings on ethics complaints are currently scheduled. Counsel for Robin Capehart has moved to delay his April 16, 2015, hearing. The Hearing Examiner has granted his Motion for Continuance, and the hearing will be

held on June 29 in the Wheeling area. The hearing in the complaint against Drema Bias-Evans has been rescheduled for April 27. Ms. Johnstone will handle the hearing. The hearing on two complaints against Bernie Fazzini is scheduled for May 18. Ms. Weber will handle this hearing. Both of the hearings will be held in the Ethics Commission's conference room.

Ms. Stepto reported on the list, distributed to all Commission members, of all open complaints as of March 25. The oldest complaint is the Capehart complaint.

Ms. Stepto reported that the only bill relating to the Ethics Act and the Ethics Commission which passed during the recent Legislative session is the "trinkets" bill, which will be discussed in the Miscellaneous section of today's agenda.

Ms. Stepto reported on Senate Bill 325, which would have changed the deadline within which the Commission would have had to file a duplicate copy of each candidate's completed Financial Disclosure Statement with the Secretary of State or county clerks. The bill did not pass.

A report was given by Ms. Stepto that paralegal Tina King voluntarily resigned effective April 3. Another paralegal was hired, but called in yesterday and decided not to take the offer. Ms. Stepto offered the job to Emily R. West and she accepted. Staff is working to have her begin work on April 20.

WHEREUPON, Chairperson Wolfe called upon Ms. Johnstone to present Advisory Opinion 2015-05 for consideration.

WHEREUPON, Ms. Johnstone presented Advisory Opinion 2015-05 to the Commission for consideration. After discussion, a motion was made by Commissioner Ireland to approve the draft Opinion, and Commissioner Singleton seconded. The motion passed.

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

WHEREUPON, Ms. Stepto presented Employment Exemption 2015-05 requested by Mark A. Hooker, Chief Market Conduct Examiner, Offices of the Insurance Commissioner, State of West Virginia. After discussion, Commissioner Singleton made a motion to approve Employment Exemption 2015-05, and Commissioner Tweel seconded. The motion passed unanimously.

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

WHEREUPON, the Commission reviewed purchases on the P-Card monthly report. A motion was made by Commissioner Tweel, and seconded by Commissioner Ireland, that the report be accepted. The motion carried.

The Ethics Commission discussed the auditor's reports regarding three lobbyists who were audited. At the March 2015 meeting of the Ethics Commission, it was decided that the reports regarding the following three lobbyists who were audited not be approved pending confirmation of compliance: Reg. 90657; Reg. 682; and Reg. 517. Ms. Stepto reported that confirmation of compliance was received from Mr. Rowan of

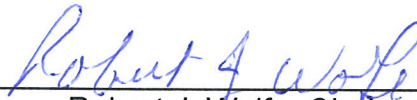
Rowan and Associates. After discussion, a motion was made by Commissioner Tweel that with respect to these remaining three audits, no further activity is required by Mr. Rowan; that there is no information disclosed in the reports relating to lobbyist compensation or other information which is not required to be disclosed pursuant to West Virginia Code § 6B-3-1 et seq.; and that the reports be final. Commissioner Ireland gave a second, and the motion carried.

Ms. Stepto reported that Chairperson Wolfe selected Jennifer Narog Taylor, Esq., to serve as a Hearing Examiner for the Commission. A motion for ratification of Chairperson Wolfe's selection was given by Commissioner Buckalew, and a second was given by Commissioner Ireland. The motion carried.

Ms. Stepto reported on proposed Legislative Rules for House Bill 2457, which is referred to as the "trinkets bill." After discussion, a motion was made by Commissioner Ireland that because the bill has passed and will be in effect, the Commission will draft emergency rules to benefit those affected by the bill. Commissioner Tweel gave a second, and the motion carried with Commissioner Buckalew opposed. Members of the Commission were asked to send comments to Ms. Stepto for discussion at the May 2015 meeting.

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

The foregoing minutes of the West Virginia Ethics Commission were approved unanimously at the May 7, 2015, meeting.



Robert J. Wolfe, Chairperson
West Virginia Ethics Commission

ATTEST:



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