

**MINUTES OF THE JUNE 5, 2014
MEETING OF THE WEST VIRGINIA ETHICS COMMISSION**

The June 5, 2014, 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 Acting Chairperson Father Douglas Sutton, who was designated Acting Chairperson by Commissioner Kemp Morton. Present at the meeting were Commissioners Jack Buckalew, Michael Greer, Betty Ireland, Suzan Singleton, Father Douglas Sutton, Terry Walker, and Bob Wolfe. Commissioners Kemp Morton, Drema Radford, and Monté Williams participated by telephone. Executive Director C. Joan Parker, 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, Acting Chairperson Father Sutton asked for approval of the May 1, 2014, Commission meeting minutes.

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

WHEREUPON, Acting Chairperson Father Sutton announced that the next Commission meeting would be held at a date, time, and place to be determined by the Governor.

WHEREUPON, Acting Chairperson Father Sutton called upon Ms. Parker to give a recap of the previous month.

WHEREUPON, Ms. Parker reported that all successful school board candidates filed Financial Disclosure Statements (FDS). She further reported on training sessions held during May 2014, and that the Commission's Investigator, Mr. David O. Lucas, resigned his position effective June 15, 2014.

WHEREUPON, Acting Chairperson Father Sutton called upon Ms. Parker to present Advisory Opinion 2014-19. At this time, Ms. Parker reminded Commission members that the identity of individuals and/or governing bodies who have requested Advisory Opinions and School Board Advisory Opinions is confidential by statute. Their identity is disclosed to the Commissioners in their agenda packets for informational purposes and to assist in determining whether a Commissioner has a conflict of interest requiring recusal.

WHEREUPON, Ms. Parker presented Advisory Opinion 2014-19 to the Commission for consideration. After discussion, Commissioner Greer made a motion to approve Advisory Opinion 2014-19, with modified language, and Commissioner Ireland seconded. The motion passed unanimously.

WHEREUPON, Acting Chairperson Father Sutton called upon Ms. Parker to present Advisory Opinion 2014-20.

WHEREUPON, Ms. Parker presented Advisory Opinion 2014-20 to the Commission for consideration. After discussion, Commissioner Wolfe made a motion to table Advisory Opinion 2014-20, and Commissioner Ireland seconded. The motion passed unanimously.

WHEREUPON, there were no Contract Exemptions.

WHEREUPON, Acting Chairperson Father Sutton called upon Ms. Weber to present School Board Advisory Opinion 2014-03.

WHEREUPON, Ms. Weber presented School Board Advisory Opinion 2014-03 to the Commission for consideration. After discussion, Commissioner Greer made a motion to approve School Board Advisory Opinion 2014-03, and Commissioner Ireland seconded. The motion passed unanimously.

WHEREUPON, Ms. Weber presented School Board Advisory Opinion 2014-04 to the Commission for consideration. After discussion, Commissioner Morton made a motion to approve School Board Advisory Opinion 2014-04, and Commissioner Greer seconded. The motion passed unanimously.

WHEREUPON, there were no Property Exemption Requests.

WHEREUPON, Acting Chairperson Father Sutton called upon Ms. Parker to present Employment Exemption Requests.

WHEREUPON, Ms. Parker presented Employment Exemption 2014-07 requested by James B. Phares, Ed.D., State Superintendent of Schools, West Virginia Department of Education; Employment Exemption 2014-08 requested by John D. Shockey, Inspector, West Virginia Department of Environmental Protection, Office of Oil and Gas; and Employment Exemption 2014-09 requested by Barry Fletcher, District Mine Inspector, West Virginia Department of Commerce, West Virginia Office of Miners' Health, Safety and Training, for consideration. After discussion, Commissioner Ireland made a motion to approve Employment Exemption 2014-07, Employment Exemption 2014-08, and Employment Exemption 2014-09, and Commissioner Singleton seconded. The motion passed unanimously.

WHEREUPON, Acting Chairperson Father Sutton called upon Ms. Parker to present miscellaneous matters.

WHEREUPON, the Commission reviewed the P-Card monthly report with no comments.

WHEREUPON, the Commission took a recess.

WHEREUPON, Acting Chairperson Father Sutton called the meeting back in session, and Ms. Parker requested to make a statement regarding the next agenda item. After her statement, the Commission gave Ms. Parker a standing ovation. A motion was made by Commissioner Morton 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, or prospective public officer or employee unless the public officer or employee or prospective public officer or employee requests an open meeting. Commissioner Buckalew gave a second, and the motion passed unanimously. All staff and guests left the meeting room.

WHEREUPON, the public session was resumed. A motion was made by Commissioner Morton that the Commission terminate the employment of Ms. Parker as Executive Director, that since she is an at-will employee, no reason would be given, and that the termination be effective June 5, 2014. Commissioner Wolfe seconded the motion. A roll call vote was taken, as follows:

Commissioner Buckalew	No
Commissioner Greer	Yes
Commissioner Ireland	Yes
Commissioner Morton	Yes
Commissioner Radford	No
Commissioner Singleton	No
Commissioner Walker	Yes
Commissioner Williams	No
Commissioner Wolfe	Yes

Ms. Parker asked permission to attend a continuing legal education course sponsored by the State and scheduled for Friday, June 6, 2014. The Commission granted approval for her to attend.


The Commission tentatively scheduled a special meeting to be held on Monday, June 9, 2014, at 1:00 p.m., to grant the Chairperson authority to hire an interim director and to discuss filling other staff vacancies.

Acting Chairperson Father Sutton stated there were no more items for discussion. Commissioner Morton made a motion to adjourn, and Commissioner Greer seconded. The meeting was adjourned.

The foregoing minutes of the West Virginia Ethics Commission were approved unanimously at the July 10, 2014, meeting.



Robert J. Wolfe, Designated Chairperson
West Virginia Ethics Commission

ATTEST:


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