

**MINUTES OF THE JANUARY 21, 2014
SPECIAL MEETING OF THE WEST VIRGINIA ETHICS COMMISSION**

The January 21, 2014 special meeting of the West Virginia Ethics Commission was called to order in the Commission's Office, located at 210 Brooks Street, Charleston WV at 2:30 p.m. by Chairperson Kemp Morton via telephone. Present and participating via telephone were Commissioners Jack Buckalew, Betty Ireland, Drema Radford, Marie Redd, Michael Greer, Suzan Singleton, Terry Walker, and Bob Wolfe. Executive Director C. Joan Parker, General Counsel Kimberly Weber, Deputy General Counsel Meridith Johnstone, Staff Attorney Ben Visnic, Contract Employee Lucy Suchy, and Administrative Secretary Kimberly Pickens from the Commission staff were also present.

WHEREUPON, Chairperson Morton stated that the meeting's purpose was to reconsider items from the December 13, 2013 meeting that did not comply with the West Virginia Open Meetings Act.

WHEREUPON, Ms. Parker advised that any official action taken at the December 12, 2013 meeting could be challenged and that the meeting must be opened to public comment before each vote, to comply with Open Meetings Advisory Opinion 2005-10.

WHEREUPON, Chairperson Morton asked for approval of the November 7, 2013 Commission meeting minutes.

WHEREUPON, Commissioner Wolfe made a motion to approve the minutes of the November 7, 2013 meeting and Commissioner Redd seconded. The motion passed unanimously.

WHEREUPON, Chairperson Morton announced that the next Commission meeting would be held February 6, 2014 at 10:00 a.m. at the Ethics Commission Office, 210 Brooks St., Charleston, WV 25301.

WHEREUPON, Chairperson Morton called upon Ms. Weber to present Advisory Opinion 2013-51.

WHEREUPON, Ms. Weber presented Advisory Opinion 2013-51 to the Commission for consideration. After discussion and the opportunity for public comment, Commissioner Singleton made a motion to approve Advisory Opinion 2013-51 and Commissioner Greer seconded. The motion passed unanimously.

WHEREUPON, Chairperson Morton called upon Ms. Parker to present Advisory Opinion 2013-54.

WHEREUPON, Ms. Parker presented Advisory Opinion 2013-54 to the Commission for consideration. After discussion and the opportunity for public comment, Commissioner Ireland made a motion to approve Advisory Opinion 2013-54 and Commissioner Wolfe seconded. The motion passed unanimously.

WHEREUPON, Commissioner Buckalew joined the meeting.

WHEREUPON, Chairperson Morton called upon Ms. Parker to present Advisory Opinion 2013-56.

WHEREUPON, Ms. Parker presented Advisory Opinion 2013-56 to the Commission for consideration. After discussion and the opportunity for public comment, Commissioner Singleton made a motion to approve Advisory Opinion 2013-56 and Commissioner Walker seconded. The motion passed 7-1 with Commissioner Buckalew voting in the negative.

WHEREUPON, Chairperson Morton called upon Ms. Parker to present Advisory Opinion 2013-57.

WHEREUPON, Ms. Parker presented Advisory Opinion 2013-57 to the Commission for consideration. After discussion and the opportunity for public comment, Commissioner Buckalew made a motion to approve Advisory Opinion 2013-57 and Commissioner Singleton seconded. The motion passed unanimously.

WHEREUPON, Chairperson Morton called upon Ms. Weber to present Advisory Opinion 2013-58.

WHEREUPON, Ms. Weber presented Advisory Opinion 2013-58 to the Commission for consideration. After discussion and the opportunity for public comment, Commissioner Wolfe made a motion to approve Advisory Opinion 2013-58 and Commissioner Buckalew seconded. The motion passed unanimously.

WHEREUPON, Chairperson Morton called upon Mr. Visnic to present Advisory Opinion 2013-59.

WHEREUPON, Commissioner Greer recused himself due to a personal conflict and left the room during the discussion and vote pertaining to Advisory Opinions 2013-59 and 2013-60.

WHEREUPON, Mr. Visnic presented Advisory Opinion 2013-59 to the Commission for consideration including comments received in writing. After discussion and the opportunity for public comment, Commissioner Ireland made a motion to approve Advisory Opinion 2013-59 and Commissioner Redd seconded. The motion passed unanimously.

WHEREUPON, Chairperson Morton called upon Mr. Visnic to present Advisory Opinion 2013-60.

WHEREUPON, Mr. Visnic presented Advisory Opinion 2013-60 to the Commission for consideration. Chairperson Morton recognized the Requester. After discussion and the Requester's comments, Commissioner Singleton made a motion to approve Advisory Opinion 2013-60 and Commissioner Ireland seconded. The motion passed 7-1 with Commissioner Buckalew voting in the negative.

WHEREUPON, Chairperson Morton called upon Ms. Parker to present Employment Exemption Requests 2013-24 and 2013-25.

WHEREUPON, Ms. Parker presented Employment Exemption Requests 2013-24 requested by Dale Gable and 2013-25 requested by Marlan Zvoll. Commissioner Buckalew made a motion to approve Employment Exemption Requests 2013-24 and 2013-25, Commissioner Redd seconded. The motion passed unanimously.

WHEREUPON, Chairperson Morton noted that there were no Contract Exemption Requests, School Board Advisory Opinion Requests, or Property Exemption Requests to be presented to the Commission for consideration.

WHEREUPON, Chairperson Morton called upon Ms. Parker to present miscellaneous matters.

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

WHEREUPON, Ms. Parker recommended hiring a contract attorney Rebecca Stepto at the rate of \$100 per hour to help with complaints. After discussion, Commissioner Ireland made a motion to approve the hiring and Commissioner Buckalew seconded. The motion passed unanimously.

WHEREUPON, Ms. Parker presented an update on proposed legislation relating to the composition of the West Virginia Ethics Commission for consideration. After discussion, Commissioner Ireland made a motion to proceed with the proposed legislation relating to the Ethics Act, and Commissioner Buckalew seconded. The motion passed unanimously.

WHEREUPON, Commissioner Greer returned to the meeting.

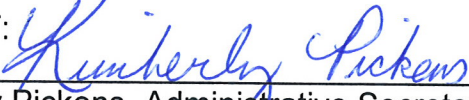
WHEREUPON, Commissioner Redd announced that she is filing candidacy papers for the Cabell County Commission and will be resigning from the Ethics Commission.

WHEREUPON, Chairperson Morton asked for any other matters to be brought before the Commission. There being none, Chairperson Morton adjourned the meeting.

The foregoing minutes of the West Virginia Ethics Commission were approved unanimously at the February 6, 2014 meeting.



R. Kemp Morton, Chairperson
West Virginia Ethics Commission

ATTEST: 

Kimberly Pickens, Administrative Secretary
West Virginia Ethics Commission