

**MINUTES OF THE JANUARY 10, 2013  
MEETING OF THE WEST VIRGINIA ETHICS COMMISSION**

The January 10, 2013 meeting of the West Virginia Ethics Commission was called to order in the Commission's Office located at 210 Brooks Street, Charleston, WV at 10:00 a.m. by Chairperson Kemp Morton. Also present in person were members Father Douglas Sutton, Jonathan Turak, Terry Walker and Robert Wolfe. Members Jack Buckalew, Drema Radford and Monté Williams participated via telephone. Member Ron Salmons was absent. Executive Director Theresa M. Kirk, General Counsel C. Joan Parker, Deputy General Counsel Martin J. Wright, Paralegal/Acting Secretary Lietta J. White and Lobbyist Registrar Lucy Suchy were in attendance from the Commission staff.

WHEREUPON, Chairperson Morton asked for approval of the December 6, 2012 Commission Meeting minutes.

WHEREUPON, Mr. Turak made a motion to approve the minutes of the December 6, 2012 meeting and Mr. Wolfe seconded. The motion passed unanimously 7-0.

WHEREUPON, Chairperson Morton, announced the next Commission meeting would be held February 7, 2013.

WHEREUPON, Chairperson Morton called upon Ms. Kirk for a recap of the previous month. Ms. Kirk discussed training sessions that had been conducted.

WHEREUPON, Chairperson Morton called upon Ms. Parker to present Advisory Opinion 2012-45 to the Commission for consideration.

WHEREUPON, Ms. Parker presented Advisory Opinion 2012-45 to the Commission for consideration. After discussion, Father Douglas Sutton made a motion to approve Advisory Opinion 2012-45 and Mr. Wolfe seconded. After further discussion, Father Douglas Sutton made a motion to table Advisory Opinion 2012-45 until the February 7, 2013 Commission meeting to allow staff to obtain additional information from the Requester. The motion passed unanimously 7-0.

WHEREUPON, Chairperson Morton called upon Ms. Kirk to present Advisory Opinion 2012-46 to the Commission for consideration.

WHEREUPON, Ms. Kirk presented Advisory Opinion 2012-46 to the Commission for consideration. After discussion, Mr. Turak made a motion to approve Advisory Opinion 2012-46 and Father Douglas Sutton seconded. The motion passed 7-0.

WHEREUPON, Chairperson Morton called upon Ms. Kirk to present Advisory Opinion 2012-47 to the Commission for consideration.

WHEREUPON, Ms. Kirk presented Advisory Opinion 2012-47 to the Commission for consideration. After discussion, Mr. Buckalew made a motion to approve Advisory Opinion 2012-47 and Ms. Radford seconded. The motion passed 7-0.

WHEREUPON, Chairperson Morton called upon Ms. Kirk to present Advisory Opinion 2012-48 to the Commission for consideration.

WHEREUPON, Ms. Kirk presented Advisory Opinion 2012-48 to the Commission for consideration. After discussion, Father Douglas Sutton made a motion to approve Advisory Opinion 2012-48 and Mr. Walker seconded. The motion passed 7-0.

WHEREUPON, Chairperson Morton called upon Ms. Parker to present Advisory Opinion 2012-49 to the Commission for consideration.

WHEREUPON, Ms. Parker presented Advisory Opinion 2012-49 to the Commission for consideration. After discussion, Father Douglas Sutton made a motion to approve Advisory Opinion 2012-49 and Mr. Wolfe seconded. The motion passed 7-0.

WHEREUPON, Chairperson Morton called upon Ms. Parker to present Advisory Opinion 2012-50 to the Commission for consideration.

WHEREUPON, Ms. Parker presented Advisory Opinion 2012-50 to the Commission for consideration. After discussion, Mr. Turak made a motion to approve Advisory Opinion 2012-50 and Mr. Walker seconded. The motion passed 7-0. Further, Advisory Opinion 2012-50 is to be sent to the WV Sheriffs' Association.

WHEREUPON, Chairperson Morton called upon Ms. Kirk to present Advisory Opinion 2012-51 to the Commission for consideration.

WHEREUPON, Deputy General Counsel Martin J. Wright recused himself from the meeting during the presentation and discussion of Advisory Opinion 2012-51 due to a conflict of interest.

WHEREUPON, Ms. Kirk presented Advisory Opinion 2012-51 to the Commission for consideration. After discussion, Father Douglas Sutton made a motion to approve Advisory Opinion 2012-51 and Mr. Buckalew seconded. The motion passed 7-0.

WHEREUPON, Chairperson Morton called upon Mr. Wright to present Contract Exemption 2012-06 to the Commission for consideration.

WHEREUPON, Mr. Wright presented Contract Exemption 2012-06 to the Commission for consideration. After discussion, Mr. Turak made a motion to approve Contract Exemption 2012-06 and Mr. Wolfe seconded. The motion passed 7-0.

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

WHEREUPON, Chairperson Morton called upon Ms. Kirk to present the Employment Exemption Request.

WHEREUPON, Ms. Kirk presented EE 2012-24 requested by Scott Knuckles. After discussion, Mr. Turak a motion to ratify the request and Father Douglas Sutton seconded. The motion passed unanimously 7-0.

WHEREUPON, Chairperson Morton asked Ms. Kirk if there were any miscellaneous matters to bring before the Commission.


WHEREUPON, Ms. Kirk presented to the Commission Respondent Robert Daquilante's request for a payment plan regarding sanctions imposed by the Commission in VCRB 2009-19 and CIC 2011-03. After discussion, Chairperson Morton suggested that the Commission's staff could negotiate with Respondent Robert Daquilante's attorney to determine the best payment plan for the Commission and the State of West Virginia. Mr. Wolfe so moved and Mr. Walker seconded. The motion passed unanimously 7-0.

WHEREUPON, the Commission reviewed the Ethics Commission P-Card monthly purchase report without comment.

WHEREUPON, Chairperson Morton asked if there were any other matters to be discussed before the Commission, there being none, the meeting was adjourned.

The foregoing minutes of the West Virginia Ethics Commission were approved unanimously at the February 7, 2013 WVEC meeting.

  
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Kemp R. Morton, Chairperson  
West Virginia Ethics Commission

ATTEST:   
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Lietta J. White Paralegal & Acting Secretary, West Virginia Ethics Commission