

**MINUTES OF THE JULY 11, 2013  
MEETING OF THE WEST VIRGINIA ETHICS COMMISSION**

The July 11, 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 Vice Chairperson Jonathan Turak. Present in person were members, Father Douglas Sutton, Terry Walker and Robert Wolfe. Chairperson Kemp Morton and members Jack Buckalew, Drema Radford, Ron Salmons and Monté Williams participated via telephone. Executive Director C. Joan Parker, General Counsel Maryclaire Akers, Deputy General Counsel Arlie Hubbard, Paralegal/Acting Secretary Lietta J. White and Lobbyist Registrar were in attendance from the Commission staff.

WHEREUPON, Chairperson Morton announced that Member Radford was stepping down as Vice Chairperson of the Commission. However, Ms. Radford will remain Chairperson of the Open Government Committee. Chairperson Morton with consensus of the Commission, appointed Commissioner Jonathan Turak Vice Chairperson of the Commission.

WHEREUPON, Vice Chairperson Turak called the July 11, 2013 Commission meeting to order.

WHEREUPON, Vice Chairperson Turak asked for approval of the June 6, 2013 Commission Meeting minutes.

WHEREUPON, Mr. Morton made a motion to approve the minutes of the June 6, 2013 meeting and Mr. Walker seconded. The motion passed unanimously 8-0.

WHEREUPON, Vice Chairperson Turak announced that the next Commission meeting would be held August 1, 2013.

WHEREUPON, Father Douglas Sutton made a motion to move the Commission meeting to August 8, 2013 and Mr. Walker seconded. The motion passed unanimously 8-0.

WHEREUPON, Ms. Parker discussed consolidating or cancelling Commission meetings and recommended cancelling the September 5, 2013 Commission meeting. After discussion, Mr. Wolfe made a motion to cancel the September 5, 2013 Commission meeting and Mr. Walker seconded. The motion passed unanimously 8-0.

WHEREUPON, Vice Chairperson Turak called upon Ms. Parker for a recap of the previous month. Ms. Parker discussed sending the meeting packet electronically, the recently published WVEC newsletter and training sessions that had been conducted.

WHEREUPON, Vice Chairperson Turak with consensus of the Commission, called upon the Commission's staff to present the agenda items out of order.

WHEREUPON, Vice Chairperson Turak called upon Ms. Akers to present Advisory Opinion 2013-21 which was tabled at the June 6, 2013 Commission meeting, to the Commission for consideration.

WHEREUPON, Ms. Akers presented Advisory Opinion 2013-21 to the Commission for consideration. After discussion, Father Douglas Sutton made a motion to approve Advisory Opinion 2013-21 and Mr. Buckalew seconded. The motion passed unanimously 7-0. **Member Williams recused himself due to personal conflict and was off the telephone during the discussion and vote pertaining to Advisory Opinion 2013-21.**

WHEREUPON, Vice Chairperson called upon Ms. Akers to present Advisory Opinion 2013-27 to the Commission for consideration.

WHEREUPON, Ms. Akers presented Advisory Opinion 2013-27 to the Commission for consideration. After discussion, Mr. Morton made a motion to approve Advisory Opinion 2013-27 and Father Douglas Sutton seconded. The motion passed 7-0. **Member Williams recused himself due to personal conflict and was off the telephone during the discussion and vote pertaining to Advisory Opinion 2013-27.**

WHEREUPON, Vice Chairperson Turak called upon Ms. Parker to present Advisory Opinion 2013-28 to the Commission for consideration.

WHEREUPON, Ms. Parker presented Advisory Opinion 2013-28 to the Commission for consideration. After discussion, Father Douglas Sutton made a motion to approve Advisory Opinion 2013-28 with a suggested revision and Mr. Wolfe seconded. The motion passed 6-1. Member Buckalew voted in the negative. **Member Williams recused himself due to personal conflict and was off the telephone during the discussion and vote pertaining to Advisory Opinion 2013-28.**

WHEREUPON, Vice Chairperson Turak called upon Mr. Hubbard to present Advisory Opinion 2013-32 to the Commission for consideration.

WHEREUPON, Mr. Hubbard presented Advisory Opinion 2012-32 to the Commission for consideration. After discussion, Mr. Buckalew made a motion to approve Advisory Opinion 2013-32 and Mr. Morton seconded. The motion passed unanimously 7-0. **Member Williams recused himself due to personal conflict and was off the telephone during the discussion and vote pertaining to Advisory Opinion 2013-32.**

**WHEREUPON, Member Williams rejoined the meeting via telephone.**

WHEREUPON, Vice Chairperson Turak called upon Ms. Parker to present Advisory Opinion 2013-25 which was tabled at the June 6, 2013 Commission meeting, to the Commission for consideration.

WHEREUPON, Ms. Parker presented Advisory Opinion 2013-25 to the Commission for consideration. After discussion, Father Douglas Sutton made a motion to approve Advisory Opinion 2013-25, with suggested revisions and Mr. Wolfe seconded. The motion passed unanimously 8-0.

WHEREUPON, Vice Chairperson Turak called upon Ms. Parker to present Advisory Opinion 2013-29 to the Commission for consideration.

WHEREUPON, Ms. Parker presented Advisory Opinion 2013-29 to the Commission for consideration. After discussion, Mr. Morton made a motion to table Advisory Opinion 2013-29 until the next Commission meeting and Mr. Wolfe seconded. The motion passed unanimously 8-0.

WHEREUPON, Vice Chairperson Turak called upon Mr. Hubbard to present Advisory Opinion 2013-30 to the Commission for consideration.

WHEREUPON, Mr. Hubbard presented Advisory Opinion 2013-30 to the Commission for consideration. After discussion, Mr. Morton made a motion to table Advisory Opinion 2013-30 until the next Commission meeting and Mr. Buckalew seconded. The motion passed unanimously 8-0.

WHEREUPON, Vice Chairperson Turak called upon Ms. Parker to present Advisory Opinion 2013-31 to the Commission for consideration.

**WHEREUPON, Vice Chairperson Turak recused himself due to personal conflict and was not present in the room during the discussion and vote pertaining to Advisory Opinion 2013-31 and Advisory Opinion 2013-33.**

WHEREUPON, with consensus of the Commission, Father Douglas Sutton was appointed Vice Chairperson of the Commission, during the discussion and vote pertaining to Advisory Opinion 2013-31 and Advisory Opinion 2013-33.

WHEREUPON, Ms. Parker presented Advisory Opinion 2013-31 to the Commission for consideration. After discussion, Mr. Buckalew made a motion to approve Advisory Opinion 2013-31 and Mr. Morton seconded. The motion passed unanimously 6-0.

WHEREUPON, Vice Chairperson Father Douglas Sutton called upon Ms. Parker to present Advisory Opinion 2013-33 to the Commission for consideration.

WHEREUPON, Ms. Parker presented Advisory Opinion 2013-33 to the Commission for consideration. After discussion, Mr. Buckalew made a motion to approve Advisory Opinion 2013-33 and Mr. Wolfe seconded. The motion passed unanimously 6-0.

**WHEREUPON, Vice Chairperson Turak rejoined the meeting.**

WHEREUPON, Vice Chairperson Turak called upon Mr. Hubbard to present Advisory Opinion 2013-34 to the Commission for consideration.

WHEREUPON, Mr. Hubbard presented Advisory Opinion 2013-34 to the Commission for consideration. After discussion, Father Douglas Sutton made a motion to approve Advisory Opinion 2013-34 with suggested language modifications and Mr. Buckalew seconded. After further discussion, Mr. Morton made a motion to table Advisory Opinion 2013-34 until the next Commission meeting and Father Douglas Sutton seconded. The motion passed unanimously 8-0.

WHEREUPON, Vice Chairperson Turak called upon Mr. Hubbard to present Contract Exemption 2013-03 to the Commission for consideration.

WHEREUPON, Mr. Hubbard presented Contract Exemption 2013-03 to the Commission for consideration. After discussion, Mr. Wolfe made a motion to approve Contract Exemption 2013-03 and Mr. Williams seconded. The motion passed 7-1. Member Salmons voted in the negative.

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

WHEREUPON, Vice Chairperson Turak called upon Ms. Parker to present the Employment Exemption Request.

WHEREUPON, Ms. Parker presented EE 2013-15 requested by Kimberly L. Osborne. After discussion, Mr. Morton made a motion to ratify the request and Mr. Walker seconded. The motion passed unanimously 8-0.

WHEREUPON, Vice Chairperson Turak asked Ms. Parker if there were any miscellaneous matters to bring before the Commission.

WHEREUPON, the Commission reviewed the Ethics Commission P-Card monthly purchase report.

WHEREUPON, Father Douglas Sutton posed a question regarding the postage meter rental. Ms. Suchy and Ms. Parker provided an answer.

WHEREUPON, Ms. Parker discussed WVEC ethics training events that will take place statewide beginning July 29, 2013, in an attempt to eliminate multiple training sessions. However, the Commission's staff will still conduct training at annual events that are scheduled throughout the calendar year.


WHEREUPON, Ms. Suchy provided an overview of the financial disclosure statement process and the reminder notices sent to public servants in an attempt to receive their delinquent financial disclosure statements. Ms. Suchy also discussed online financial disclosure statement filings. After discussion, the Commission directed Staff to send a final notice to the delinquent filers and if they fail to comply, the names of the delinquent filers shall be posted on the WVEC website.

WHEREUPON, Vice Chairperson Turak 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 August 1, 2013 WVEC meeting.

  
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Jonathan E. Turak, Vice Chairperson  
West Virginia Ethics Commission

ATTEST:

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