

**MINUTES OF THE AUGUST 1, 2013
MEETING OF THE WEST VIRGINIA ETHICS COMMISSION**

The August 1, 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 and Robert Wolfe. Chairperson Kemp Morton and members Jack Buckalew, Drema Radford, Ron Salmons, Terry Walker and Monté Williams participated via telephone. Executive Director C. Joan Parker, General Counsel Maryclaire Akers, Deputy General Counsel Arlie Hubbard, Staff Attorney Kimberly B. Weber, and Paralegal/Acting Secretary Lietta J. White were in attendance from the Commission staff.

WHEREUPON, Vice Chairperson Turak called the August 1, 2013 Commission meeting to order.

WHEREUPON, Vice Chairperson Turak asked for approval of the July 11, 2013 Commission Meeting minutes.

WHEREUPON, Mr. Morton made a motion to approve the minutes of the July 11, 2013 meeting and Father Douglas seconded. The motion passed unanimously 8-0.

WHEREUPON, Vice Chairperson Turak, announced the next Commission meeting would be held October 3, 2013.

WHEREUPON, Vice Chairperson Turak called upon Ms. Parker for a recap of the previous month. Ms. Parker discussed General Counsel Maryclaire Akers resigning from the West Virginia Ethics Commission as General Counsel, Kimberly B. Weber accepting the General Counsel position for the West Virginia Ethics Commission and West Virginia Ethics Commission's Commission vacancies and training sessions.

WHEREUPON, Vice Chairperson Turak called upon Ms. Parker to present Advisory Opinion 2013-29 which was tabled at the July 11, 2013 Commission meeting to the Commission for consideration.

WHEREUPON, Ms. Parker presented Advisory Opinion 2013-29 to the Commission for consideration. After discussion, Father Douglas Sutton made a motion to approve Advisory Opinion 2013-29 and Mr. Morton seconded. After further extensive discussion, members Mr. Morton, Father Douglas Sutton, Mr. Williams and Mr. Wolfe voted yes to approve Advisory Opinion 2013-29 and members Mr. Buckalew, Ms. Radford, Mr. Salmons and Mr. Walker voted no. Vice Chairperson Turak voted no to break the tie. Advisory Opinion 2013-29 will be presented again at the October 3, 2013 Commission meeting.

WHEREUPON, Vice Chairperson Turak called upon Mr. Hubbard to present Advisory Opinion 2013-30 which was tabled at the July 11, 2013 Commission meeting, to the Commission for consideration.

WHEREUPON, Mr. Hubbard presented Advisory Opinion 2013-30 to the Commission for consideration. After discussion, Father Douglas Sutton made a motion to approve Advisory Opinion 2013-30 and Mr. Wolfe seconded. The motion passed unanimously 8-0.

WHEREUPON, Vice Chairperson Turak called upon Mr. Hubbard to present Advisory Opinion 2013-34 which was tabled at the July 11, 2013, to the Commission for consideration.

WHEREUPON, Mr. Hubbard presented Advisory Opinion 2013-34 to the Commission for consideration. After discussion, Mr. Wolfe made a motion to approve Advisory Opinion 2013-34 with the suggested language modifications and Father Douglas Sutton seconded. The motion passed 5-4. Members Mr. Buckalew, Ms. Radford, Mr. Salmons and Mr. Williams voted in the negative. Vice Chairperson Turak voted yes to break the tie.

WHEREUPON, Vice Chairperson Turak called upon Mr. Hubbard to present Advisory Opinion 2013-35 to the Commission for consideration.

WHEREUPON, Mr. Hubbard presented Advisory Opinion 2013-35 to the Commission for consideration. After discussion, Mr. Morton made a motion to approve Advisory Opinion 2013-35 and Father Douglas Sutton seconded. The motion passed unanimously 8-0.

WHEREUPON, Vice Chairperson Turak called upon Ms. Weber to present Advisory Opinion 2013-36 to the Commission for consideration.

WHEREUPON, Ms. Weber presented Advisory Opinion 2013-36 to the Commission for consideration. After discussion, Father Douglas Sutton made a motion to approve Advisory Opinion 2013-36 and Mr. Buckalew seconded. The motion passed unanimously 8-0.

WHEREUPON, Vice Chairperson Turak called upon Ms. Akers to present Advisory Opinion 2013-37 to the Commission for consideration.

WHEREUPON, Ms. Akers presented Advisory Opinion 2013-37 to the Commission for consideration. After discussion, Mr. Morton made a motion to approve Advisory Opinion 2013-37 and Mr. Buckalew seconded. The motion passed unanimously 8-0.

WHEREUPON, Vice Chairperson Turak called upon Mr. Hubbard to present Advisory Opinion 2013-38 to the Commission for consideration.

WHEREUPON, Mr. Hubbard presented Advisory Opinion 2013-38 to the Commission for consideration. After discussion, Father Douglas Sutton made a motion to approve Advisory Opinion 2013-38 with the suggested language modifications and Mr. Morton seconded. The motion passed unanimously 8-0.

WHEREUPON, Vice Chairperson Turak called upon Ms. Parker to present Advisory Opinion 2013-39 to the Commission for consideration.

WHEREUPON, Ms. Parker presented Advisory Opinion 2013-39 to the Commission for consideration. After discussion, Father Douglas Sutton made a motion to approve Advisory Opinion 2013-39 and Mr. Buckalew seconded. The motion passed unanimously 8-0.

WHEREUPON, Vice Chairperson Turak called upon Ms. Weber to present Advisory Opinion 2013-40 to the Commission for consideration.

Member Salmons recused himself due to personal conflict and was off the telephone during the discussion and vote pertaining to Advisory Opinion 2013-40.

WHEREUPON, Ms. Weber presented Advisory Opinion 2013-40 to the Commission for consideration. After discussion, Mr. Morton made a motion to approve Advisory Opinion 2013-40 and Father Douglas Sutton seconded. The motion passed unanimously 7-0.

WHEREUPON, Vice Chairperson Turak called upon Ms. Parker to present Contract Exemption 2013-04 to the Commission for consideration.

Member Salmons rejoined the meeting via telephone.

WHEREUPON, Ms. Parker presented Contract Exemption 2013-04 to the Commission for consideration. After discussion, Father Douglas Sutton made a motion to approve Contract Exemption 2013-04 and Mr. Wolfe seconded. The motion passed unanimously 8-0.

WHEREUPON, Vice Chairperson Turak called upon Ms. Parker to present Contract Exemption 2013-05 to the Commission for consideration.

WHEREUPON, Ms. Parker presented Contract Exemption 2013-05 to the Commission for consideration. After discussion, Mr. Morton made a motion to approve Contract Exemption 2013-05 and Father Douglas Sutton seconded. The motion passed unanimously 8-0.

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 Requests.

General Counsel Maryclaire Akers recused herself and left the room during presentations and vote pertaining to the Employment Exemption Requests.

WHEREUPON, Ms. Parker presented EE 2013-16 requested by Maryclaire Akers and EE 2013-17 requested by Amy Swann. After discussion, Mr. Morton made a motion to ratify the requests and Mr. Buckalew 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, Ms. Parker stated there were no miscellaneous matters to present to the Commission.

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


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 October 3, 2013 WVEC meeting.



Kemp Morton, Chairperson
West Virginia Ethics Commission

ATTEST:



Lucy A. Suchy, Acting Secretary, West Virginia Ethics Commission