



Ethics Commission Meeting Agenda

210 Brooks Street, Suite 300
Charleston, WV 25301

July 11, 2013
10:00 a.m.

1. Approve Minutes of **June 6, 2013 Meeting (Chairperson Morton)**
2. Discuss meeting schedule for remainder of the year **(Chairperson Morton)**

(Next meeting date **August 1, 2013** or at a date and time to be determined by the Commission)
3. Recap of Previous Month **(Ms. Parker)**
4. Advisory Opinion Requests

AO 2013-21 (Ms. Akers) Tabled at the June 6, 2013 Commission Meeting
A **Prosecuting Attorney** asks if it is permissible under the Ethics Act for a County Commission to employ a private attorney (either as an employee or on a contract basis) for civil matters, if that attorney maintains a private criminal defense practice in the same county.

AO 2013-25 (Ms. Parker) Tabled at the June 6, 2013 Commission Meeting
An **Attorney for a Conservation District** asks whether a conflict of interest exists with an Elected Board Member and, if so, whether it may be cured by his recusal from voting thereon.

AO 2013-27 (Ms. Akers)

An **Attorney for a County Board of Education** asks whether teachers who served on the Textbook Adoption Committee may contract with the private textbook company the Committee chose to receive paid training on a newly adopted textbook, and if so, whether the company may pay those teachers to train other teachers within the State.

AO 2013-28 (Ms. Parker)

A **Public Employee** asks whether a group of employees may use a state-owned parking garage for a garden and distribute produce and flowers to community groups.

AO 2013-29 (Ms. Parker)

A **County Surveyor** who owns: a private surveying company and land, and whose father owns land and mineral rights, poses three questions:

1. Is there a conflict between being the County Surveyor and being employed part-time by the County Commission as the County Floodplain Manager/Administrator?
2. If so, what are the ethical implications if I perform a survey in my private capacity that concludes that the property is within the floodplain, and therefore under my jurisdiction as Floodplain Manager/Administrator?
3. Is it a conflict for me to perform my Floodplain Manager duties when natural gas companies submit applications to work in the designated floodplain?

AO 2013-30 (Mr. Hubbard)

A **Commissioner** of a State Agency asks if he may retain partial ownership of a race horse that may compete in the State.

AO 2013-31 (Ms. Parker)

An **Elected Member of the Board of Public Works** asks whether he may allow a private foundation to “piggyback” or participate in the State’s Purchasing Card program.

AO 2013-32 (Mr. Hubbard)

A newly elected **Town Councilperson** asks if he may vote on issues related to the local branch of a charity when his father is Vice Chairperson of the charity.

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AO 2013-33 (Ms. Parker)

An **Elected State Official** asks whether he may serve as the Secretary of a local Masonic lodge and accept an expense reimbursement stipend of \$300 per month.

AO 2013-34 (Mr. Hubbard)

A **Sheriff's Tax Deputy** asks if he may provide security services to residents and law enforcement throughout the State through a limited liability company.

5. Contract Exemption Request

CE 2013-03 (Mr. Hubbard)

The **Raleigh County Commission** seeks an exemption to award a contract to a cleaning company owned by County employees Mary Sizemore and Dennis Sizemore.

6. School Board Advisory Opinion Requests

NONE

7. Property Exemption Requests

NONE

8. Employment Exemption Request (**Ms. Parker**)

EE 2013-15 Kimberly L. Osborne, Office of the Governor

9. Miscellaneous Matters (**Ms. Parker**)

(a) P-Card Monthly Report

(b) Training update

(c) Discuss Delinquent Financial Disclosure Statements, including methods to ensure compliance, and how to "publish" list of delinquents

10. Motion to Adjourn