

## **West Virginia Ethics Commission**

### **Meeting Minutes March 7, 2024**

The March 7, 2024, meeting of the West Virginia Ethics Commission was called to order in the Commission's office at 210 Brooks Street, Charleston, West Virginia, at 10:00 a.m. by Chairperson Robert J. Wolfe. Commissioners and the public were invited to attend in person, via video link, and via telephone. Mr. Wolfe introduced the new Commissioner, D. Blake Carter, Jr., to the Ethics Commission.

#### **Present**

Robert J. Wolfe, Commission chairperson  
D. Blake Carter, Jr., Commission member  
Joshua Cottle, Commission member (by telephone)  
Lynn Davis, Commission member (by telephone)  
Karen Disibbio, Commission member  
Robert Harman, Commission member (by telephone)  
Suzan Singleton, Commission member (virtually)  
Terry L. Walker, Commission member  
Kimberly B. Weber, Executive Director  
Theresa M. Kirk, General Counsel  
John E. Roush, Staff Attorney  
M. Ellen Briggs, Executive Assistant

#### **Order of Agenda**

Mr. Wolfe reported that the advisory opinion request, AO 2024-02, will be delayed until a future meeting of the Ethics Commission.

#### **Approval of Minutes**

Mr. Harman made a motion to approve the minutes of the Commission's January 5, 2024, meeting. Ms. Singleton seconded the motion, and the motion carried as follows:

Carter – abstained  
Cottle – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Wolfe – aye

## **Recap of Previous Month**

Ms. Weber provided a summary of news and developments relating to the Ethics Commission during the previous month.

## **Employment Exemption Requests**

Ms. Weber asked the Commission to ratify the following temporary employment exemptions that she had granted since the last Commission meeting.

### **EE 2024-01**

Kira Renee Robinson, Transportation Engineering Technician, Department of Transportation, Division of Highways

### **EE 2024-02**

Charles R. Hall, Appraisal Manager, Right of Way, Department of Transportation, Division of Highways

### **EE 2024-03**

Sasha Danberry, Assistant Director, Department of Transportation, Division of Highways

### **EE 2024-04**

Ronald L. Stanevich, Director, Materials Control, Soils and Testing Division, Department of Transportation, Division of Highways

### **EE 2024-05**

Jared Kerns, Transportation Engineer Trainee 2, Department of Transportation, Division of Highways

### **EE 2024-06**

Travis L. Ray, District 5, Deputy District Engineer, Department of Transportation, Division of Highways

### **EE 2024-07**

Michael J. Foley, Construction Engineer, Department of Transportation, Division of Highways

### **EE 2024-08**

Donald Simmons, Special Testing Technician, Materials Control, Soils and Testing Division, Department of Transportation, Division of Highways

### **EE 2024-09**

Myra Couch, Transportation Engineering Technician, Department of Transportation, Division of Highways

**EE 2024-10**

Alexander B. Polansky, Engineering Technician, Department of Transportation, Division of Highways

**EE 2024-11**

Adam Gillispie, Highway Engineer Associate Senior, Materials Control, Soils and Testing Division, Department of Transportation, Division of Highways

**EE 2024-12**

James Collins, Deputy District Engineer/Maintenance Engineer, Department of Transportation, Division of Highways

**EE 2024-13**

Chad J. Toney, Director of Right of Way, Department of Transportation, Division of Highways

Ms. Disibbio moved that Employment Exemptions 2024-01 through 2024-13 be ratified. Mr. Walker seconded the motion, and the motion carried as follows:

Carter – aye  
Cottle – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Wolfe – aye

**School Board Advisory Opinion 2024-01**

Mr. Wolfe called upon Mr. Roush to present [School Board Advisory Opinion 2024-01](#) to the Commission for consideration. Mr. Roush presented the proposed School Board Advisory Opinion and answered questions from the Commission. Mr. Carter made a motion that the School Board Advisory Opinion be approved as presented. Ms. Disibbio seconded the motion, and the motion carried as follows:

Carter – aye  
Cottle – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Wolfe – aye

## Approve Purchasing Card Monthly Report

The Commission reviewed the purchasing card monthly report for December 2023. Ms. Weber reported that invoices were available for review and recommended that the purchases be approved. No purchases were made on the P-card in January 2024. A motion was made by Ms. Davis to approve the report as presented. Ms. Singleton seconded the motion, and the motion carried as follows:

Carter – aye  
Cottle – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Wolfe – aye

## Open Governmental Meetings Committee Report

Ms. Davis, Chair of the Open Governmental Meetings Committee, reported that the Committee met and issued [Open Meetings Advisory Opinion 2024-01](#) for the Jefferson County Commission.

## Lobbyist Audit

Mr. Wolfe called upon Ms. Weber to give a report on the results of the lobbyist audit. Ms. Weber reported that the 2023 lobbyist audit has been completed by Rollins, Cleavenger and Rollins, CPAs. CPA Bob Bailey requested documentation from the following 20 randomly selected lobbyists to support the expenditures they reported in Lobbyist Activity Reports filed for 2022:

Brown, Bryan	Heywood, Thomas
Burdette, Patricia	Hohenwarther, John
Canfield, John	Jennison, Andrew
Christian, Nicole	Mallory, Jamie
David, Caleb	Miles, Betty
Dougherty, Gary	Minardi, Sam
Garden, Katie	Perry, Amber
Gladkosky, David	Stewart, Stephen
Grinstead, Todd	Terry, Juliet
Henry, Taylor	Zucconi, Guido

A motion was made by Ms. Disibbio that the Commission find that no further activity is required by Mr. Bailey; that there is no information disclosed in the reports relating to lobbyist compensation or other information which is not required to be disclosed

pursuant to W. Va. Code § 6B-3-1, et seq., and that the reports be deemed final. Mr. Carter seconded the motion, which passed as follows:

Carter – aye  
Cottle – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Wolfe – aye

### **Guideline - Second Jobs and the Ethics Act**

Ms. Kirk reported that staff developed a new guideline for public officials and public employees who have or are considering a second job and the restrictions involved in having a second job. A motion was made by Ms. Disibbio that the guideline, [Second Jobs and the Ethics Act](#), be approved as presented. Mr. Walker seconded the motion, which passed as follows:

Carter – aye  
Cottle – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Wolfe – aye

### **Personnel Committee Report**

Mr. Wolfe called upon Mr. Walker to present the Personnel Committee report to the Commission. Mr. Walker reported that the Personnel Committee reviewed staff evaluations and the 2024 Commission goals and 2023 accomplishments. Ms. Disibbio made a motion that the Commission approve the staff evaluations and the 2024 Commission goals and 2023 accomplishments. Ms. Singleton seconded the motion, which passed as follows:

Carter – aye  
Cottle – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Wolfe – aye

## **Criminal Referral**

A motion was made by Ms. Singleton to go into executive session, pursuant to W. Va. Code § 6-9A-4(12), to consider making a referral to the appropriate county prosecutor in VCRB 2022-44 pursuant to W. Va. Code § 6B-2-4(w)(1). Ms. Disibbio seconded the motion, which passed as follows:

Carter – aye  
Cottle – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Wolfe – aye

Ms. Kirk left the meeting room. The Commission returned to public session. Ms. Singleton moved that, pursuant to W. Va. Code § 6B-2-4(w)(1), the Commission refers VCRB 2022-44 to the appropriate county prosecutor. Ms. Davis seconded the motion, which passed as follows:

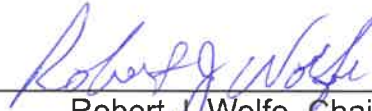
Carter – aye  
Cottle – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Wolfe – aye

## **Adjournment**

Mr. Walker made a motion to adjourn, and Ms. Disibbio seconded the motion. The motion passed as follows, and the meeting was adjourned.

Carter – aye  
Cottle – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Wolfe – aye

The foregoing minutes of the West Virginia Ethics Commission were approved at the Commission's April 4, 2024, meeting.



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Robert J. Wolfe, Chairperson  
West Virginia Ethics Commission

ATTEST:



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M. Ellen Briggs, Executive Assistant  
West Virginia Ethics Commission