

West Virginia Ethics Commission

Meeting Minutes June 1, 2023

The June 1, 2023, 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 and via telephone.

Present

Robert J. Wolfe, Commission chairperson
Joshua Cottle, Commission member (by telephone)
Lynn Davis, Commission member (by telephone)
Karen Disibbio, Commission member (by telephone)
Suzan Singleton, Commission member (by telephone)
Terry L. Walker, Commission member (by telephone)
Kimberly B. Weber, Executive Director
Theresa M. Kirk, General Counsel
M. Ellen Briggs, Executive Assistant

Absent

Robert Harman, Commission member

Introductions

Mr. Wolfe welcomed Department of Administration Cabinet Secretary Mark Scott to the meeting.

Approve Minutes

Ms. Singleton made a motion to approve the minutes of the Commission's May 4, 2023, meeting. Ms. Disibbio seconded the motion, which passed as follows:

Cottle – aye
Davis – aye
Disibbio – 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

EE 2023-31

Michael R. Jones, Chemist 3, Environmental and Coatings Section, Department of Transportation, Division of Highways

EE 2023-32

Tyler Phipps, Transportation Division Manager 1, Materials Control, Soils and Testing Division, Department of Transportation, Division of Highways

EE 2023-33

Richard Chase Aliff, Area Engineer/TRETCNO, Department of Transportation, Division of Highways

EE 2023-34

Lisa W. Hunter, Hearing Examiner, Workers' Compensation Board of Review

EE 2023-35

Joshua D. Howell, Construction Engineer (D-10), Department of Transportation, Division of Highways

Ms. Singleton moved that Employment Exemptions 2023-31 through 2023-35 be ratified. Ms. Davis seconded the motion, which passed as follows:

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

Advisory Opinion 2023-05

Mr. Wolfe called upon Ms. Kirk to present [Advisory Opinion 2023-05](#) to the Commission for consideration. Ms. Kirk presented the proposed Advisory Opinion. Ms. Singleton made a motion that the Advisory Opinion be approved as presented. Ms. Davis seconded the motion, which passed as follows:

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

Contract Exemption 2023-03

Mr. Wolfe called upon Ms. Weber to present [Contract Exemption 2023-03](#). Ms. Weber presented the proposed Contract Exemption and responded to questions from the Commission. Bill Archer, the President of the Mercer County Commission, was present via telephone and responded to questions from the Commission. Ms. Singleton made a motion that the Contract Exemption be granted. Mr. Cottle seconded the motion, which passed as follows:

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

Approve P-card Monthly Reports

The Commission reviewed the P-card monthly reports for April 2023. A motion was made by Ms. Singleton to approve the reports as presented. Ms. Disibbio seconded the motion, which passed as follows:

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

Criminal Referral

A motion was made by Ms. Davis 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 2023-35 pursuant to W. Va. Code § 6B-2-4(w)(1). Ms. Disibbio seconded the motion, which passed as follows:

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

The Commission returned to public session. Ms. Singleton moved that, pursuant to W. Va. Code § 6B-2-4(w)(1), the Commission refer VCRB 2023-35 to the appropriate county prosecutor. Ms. Davis seconded the motion, which passed as follows:

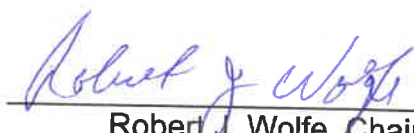
Cottle – aye
Davis – aye
Disibbio – aye
Singleton – aye
Walker – aye
Wolfe – aye

Adjournment

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


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

The foregoing minutes of the West Virginia Ethics Commission were approved at the Commission's July 6, 2023, meeting.



Robert J. Wolfe, Chairperson
West Virginia Ethics Commission

ATTEST:



M. Ellen Briggs, Executive Assistant
West Virginia Ethics Commission