

## West Virginia Ethics Commission

### Meeting Minutes January 7, 2021

The January 7, 2021, 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. Most Commissioners attended via telephone due to the Coronavirus pandemic. The public was invited to attend via telephone due to the pandemic. Mr. Wolfe introduced to the Commission John E. Roush, the newly hired staff attorney.

#### Present

Robert J. Wolfe, Commission chairperson  
Lindsey Ashley, Commission member (by telephone)  
Lynn Davis, Commission member (by telephone)  
Karen Disibbio, Commission member (by telephone)  
Robert Harman, Commission member (by telephone)  
Suzan Singleton, Commission member (by telephone)  
Terry Walker, Commission member (by telephone)  
Kimberly B. Weber, Executive Director  
Theresa M. Kirk, General Counsel  
John E. Roush, Staff Attorney (by telephone)  
Teri L. Anderson, Lobbyist Registrar (by telephone)  
M. Ellen Briggs, Executive Assistant

#### Absent

Monté Williams, Commission member

#### Approve Minutes

Ms. Singleton made a motion to approve the minutes of the Commission's November 5, 2020, meeting. Ms. Davis seconded the motion, which passed as follows:

Ashley – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Wolfe – aye

## 2021 Commission Meeting Dates

Mr. Wolfe reported on the following 2021 Commission meeting dates which are subject to change as needed:

February 4  
March 4  
April 1  
May 6  
June 3  
July 1  
August 5  
September 2  
October 7  
November 4  
December 2

## 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 2020-29

Martin E. Dougherty, Staff Engineer, Department of Transportation,  
Division of Highways

### EE 2021-01

Ryan Satterfield, Incident and Mobility Management Coordinator,  
Department of Transportation, Division of Highways

Ms. Singleton moved that Employment Exemptions 2020-29 and 2021-01 be ratified. Ms. Disibbio seconded the motion, which passed as follows:

Ashley – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Wolfe – aye

### **Advisory Opinion 2021-01**

Mr. Wolfe called upon Ms. Kirk to present Advisory Opinion 2021-01 to the Commission for consideration. Ms. Kirk presented the proposed Advisory Opinion. Ms. Disibbio made a motion that the Advisory Opinion be approved as presented. Ms. Singleton seconded the motion, which passed as follows:

Ashley – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Wolfe – aye

### **Approve P-card Monthly Reports**

The Commission reviewed purchases on the P-card monthly reports for October and November 2020. Ms. Disibbio moved that the reports be accepted as presented. Ms. Singleton seconded the motion, which passed as follows:

Ashley – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Wolfe – aye

### **Approve Lobbyist Compliance Audit Reports**

Mr. Wolfe called upon Ms. Weber to give a report on the results of the lobbyist audit. Ms. Weber reported that the 2019 lobbyist audit has been completed by Rowan & Associates. Mr. Rowan requested documentation from the following 20 randomly selected lobbyists to support the expenditures they reported in Lobbyist Activity Reports filed for 2019:

Michael Basile  
Charlie Burd  
Mark Clark  
William Douglass  
Kelly Goes  
Tony Gregory  
Erik Hingst  
Greg Hoyer  
Joseph Johns  
Laura Martin

Pat McCune  
Mark Meckler  
Melanie Pagliaro  
Natalie Roper  
Louis Southworth  
Jeff Stevens  
Ben Sullivan  
Juliet Terry  
Wendel Turner  
Joseph Ward

Each of the lobbyist's reports was found to be accurate and property documented.

A motion was made by Ms. Singleton that no further activity is required by Mr. Rowan; 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. Ms. Disibbio seconded the motion, which passed as follows:

Ashley – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Wolfe – aye

### **Resolution for Lobbyist Audit**

Mr. Wolfe called upon Ms. Weber to report on the proposed Resolution. Ms. Weber reported that the proposed Resolution is to set the number of lobbyist compliance audits as one to be conducted by the Commission in 2021 and each subsequent year unless changed by a subsequent resolution. A motion was made by Ms. Singleton that the proposed Resolution be approved and recorded in the minutes of the January 7, 2021, Commission meeting. Mr. Harman seconded the motion, which passed as follows:

Ashley – aye  
Davis – aye  
Disibbio – aye  
Harman – aye  
Singleton – aye  
Walker – aye  
Wolfe – aye

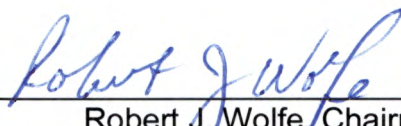
The Resolution is attached to these minutes and incorporated herein.

## Adjournment

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

Ashley – 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 March 4, 2021, meeting.

  
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Robert J. Wolfe, Chairperson  
West Virginia Ethics Commission

ATTEST:

  
\_\_\_\_\_  
M. Ellen Briggs, Executive Assistant  
West Virginia Ethics Commission



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## ***RESOLUTION***

***WHEREAS***, W. Va. Code § 6B-3-11(a) provides that the Commission shall initiate, by lottery, random audits of lobbyist registration statements and disclosure reports.

***WHEREAS***, the Commission may hold up to four lotteries per year. The number of lotteries held within a given year will be a matter within the Commission's discretion. W. Va. Code § 6B-3-11(b).

***WHEREAS***, the number of audits to be conducted will be determined by the Commission through resolutions adopted at public meetings and based on various factors, including the complexity, results and time required to complete the audits. W. Va. Code § 6B-3-11(b).

***WHEREAS***, the Ethics Commission has determined, by passage of a proper motion of the full Commission on January 7, 2021, that it will conduct one lobbyist audit in 2021 and each subsequent year unless changed by a subsequent resolution.

***It is RESOLVED***, that the Executive Director of the Commission is directed to initiate one audit of lobbyists' registration statements and disclosure reports per year in accordance with the West Virginia Ethics Act and W. Va. Code R. § 158-15-1 through 6.l.i.

***It is RESOLVED FURTHER***, that the ***RESOLUTION*** be recorded in the official minutes of the West Virginia Ethics Commission this 7th day of January 2021.

A handwritten signature in blue ink, reading "Robert J. Wolfe", written over a horizontal line.

Robert J. Wolfe, Chair  
West Virginia Ethics Commission