

**MINUTES OF THE April 7, 2011
MEETING OF THE WEST VIRGINIA ETHICS COMMISSION**

The April 7, 2011 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 Chairperson Morton via telephone. Present in person were members Deem and Father Sutton. Members Buckalew, Radford, Salmons and Williams participated via telephone. Member Turak was absent. Executive Director Theresa M. Kirk, General Counsel C. Joan Parker, Deputy General Counsel Martin J. Wright, Paralegal/Acting Secretary Lietta J. White and Administrative Services Assistant Lucy Suchy were also in attendance.

WHEREUPON, Chairperson Morton asked for approval of the February 3, 2011 Commission Meeting minutes.

WHEREUPON, Father Sutton made a motion to approve the minutes of the February 5, 2011 meeting as amended to accurately reflect his title and Mr. Salmons seconded. The motion passed unanimously 6-0.

WHEREUPON, Chairperson Morton announced the next meeting of the WV Ethics Commission is scheduled for May 5, 2011 at 10:00 a.m. in the Commission's office located at 210 Brooks Street, Suite 300, Charleston WV.

WHEREUPON, Chairperson Morton called upon Ms. Kirk for a recap of the previous month. Ms. Kirk discussed training.

WHEREUPON, Chairperson Morton called upon Ms. Kirk to present Advisory Opinion 2011-03 to the Commission for consideration.

WHEREUPON, Ms. Kirk presented Advisory Opinion 2011-03 to the Commission for consideration. After discussion, Mr. Buckalew made a motion to approve Advisory Opinion 2011-03 as written and Father Sutton seconded. The motion passed unanimously 6-0.

WHEREUPON, Chairperson Morton called upon Ms. Parker to present Advisory Opinion 2011-04 to the Commission for consideration.

WHEREUPON, Ms. Parker presented Advisory 2011-04 to the Commission for consideration. After discussion, Father Sutton made a motion to table Advisory Opinion 2011-04 until the May 5, 2011 Commission meeting to allow staff to obtain additional information. The motion passed unanimously 6-0.

WHEREUPON, Chairperson Morton called upon Ms. Parker to present Advisory Opinion 2011-05 to the Commission for consideration.

WHEREUPON, Ms. Parker presented Advisory Opinion 2011-05 to the Commission for consideration. After Advisory Opinion 2011-05 was presented, Mr. Deem made a motion to approve Advisory Opinion 2011-05 as written and Father Sutton seconded. After discussion, Mr. Deem withdrew his motion and made a motion to approve Advisory Opinion 2011-05 with amendments restricting the use of public funds only to the payment of dues and Father Sutton seconded. The motion passed 6-0.

WHEREUPON, Chairperson Morton noted there were no Contract Exemption Requests, School Board Advisory Opinion Requests and Property Exemption Requests to be presented to the Commission for consideration.

WHEREUPON, Chairperson Morton called upon Ms. Kirk to present the Employment Exemption Requests.

WHEREUPON, Ms. Kirk presented EE 2011-04 requested by Kit Phares, EE 2011-05 requested by John W. Cruse, EE 2011-06 requested by George Smallridge, EE 2011-07 requested by John King and EE 2011-08 requested by Donald P. Wilson. After discussion, Mr. Buckalew made a motion to ratify the exemptions and Father Sutton seconded. The motion passed unanimously 6-0.

WHEREUPON, Chairperson Morton asked Ms. Kirk if there were any miscellaneous matters to bring before the Commission.

WHEREUPON, Ms. Kirk provided an overview and update of H.B. 2464 to the Commission. The bill imposes additional financial disclosure requirements upon public servants, and expands the revolving door limitations to prohibit certain ranking public servants from registering as lobbyists during their government service and for one year thereafter.

WHEREUPON, Ms. Kirk asked for approval of the Commission to consider the request of James Ramey, III for partial release of the lien regarding VCRB 2005-10 and 2005-10a. Father Sutton made a motion for the Commission to enter into executive session for the purpose of discussing Mr. Ramey's request. After coming out of executive session, Father Sutton made a motion to allow the partial release of the lien to allow Mr. Ramey to sell a piece of property situated in Dunlow, WV and to allow Ms. Kirk as Executive Director to sign the release. The motion passed 5-1 with Mr. Salmons voting in the negative.

WHEREUPON, Ms. Kirk asked the Commission to review and approve the Lobbyist Audit Reports. After discussion, the Commission found that no further activity is required by the auditor and that there is no information disclosed in the reports which is confidential. After further discussion, Mr. Buckalew made a motion to approve the Lobbyist Audit Reports and Father Sutton seconded. The motion passed 6-0.

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

WHEREUPON, Chairperson Morton asked if there were any other matters to be discussed before the Commission, there being none, the meeting was adjourned.

Due to technical difficulty, the April 7, 2011 WVEC Commission Meeting was not tape recorded.

The foregoing minutes of the West Virginia Ethics Commission were approved unanimously at the May 5, 2011 WVEC meeting.



Kemp Morton, Chairperson
West Virginia Ethics Commission

ATTEST:



Lietta J. White Paralegal & Acting Secretary, West Virginia Ethics Commission