

**MINUTES OF THE FEBRUARY 4, 2010
MEETING OF THE WEST VIRGINIA ETHICS COMMISSION**

The February 4, 2010 meeting of the West Virginia Ethics Commission was called to order in the Commission's Office located at 210 Brooks Street, Suite 300, Charleston, WV at 10:00 a.m. by Chairperson Kemp Morton. Also present in person were members Buckalew, Radford, Rowe and Turak. Members Logan, Salmons, Trupo and Williams participated via telephone. Executive Director Theresa M. Kirk, General Counsel C. Joan Parker, Deputy General Counsel Martin J. Wright, Jr., Paralegal/Acting Secretary Lietta J. White and Administrative Secretary Lucy Suchy were also in attendance.

WHEREUPON, Chairperson Morton asked for approval of the January 14, 2010 Commission Meeting minutes.

WHEREUPON, Ms. Radford moved and Mr. Buckalew seconded that the minutes of the January 14, 2010 meeting be approved, and the motion passed unanimously 9-0.

WHEREUPON, Chairperson Morton announced that the next regular meeting of the WV Ethics Commission is scheduled for March 4, 2010 at 10:00 a.m., in the Commission's Office at 210 Brooks Street, Suite 300, Charleston, WV 25301.

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

WHEREUPON, Chairperson Morton called upon Ms. Kirk to present Advisory Opinion 2009-12 to the Commission for consideration.

WHEREUPON, Ms. Kirk presented Advisory Opinion 2009-12 to the Commission for consideration. After discussion, Mr. Turak moved to approve Advisory Opinion 2009-12 and Mr. Logan seconded. The motion passed unanimously 9-0.

WHEREUPON, Chairperson Morton noted there were no Contract Exemption requests.

WHEREUPON, Chairperson Morton noted there were no School Board Advisory opinion requests.

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

WHEREUPON, Ms. Kirk presented Employment Exemption requests EE 2010-01 requested by David R. Duell and EE 2010-02 requested by Christopher G. Morris. Mr. Rowe made a motion to ratify the exemption request by David R. Duell and Ms. Radford seconded the motion passed 7-2. Mr. Turak made a motion to ratify the exemption request by Christopher G. Morris and Mr. Rowe seconded. The motion passed unanimously 9-0.

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

WHEREUPON, Ms. Kirk provided an overview of the additions to H.B. 4016. After discussion, Mr. Rowe made a motion to give the Executive Director the authority to work with the Legislators in regards to the Ethics Act and to express their agreement of the changes of H.B. 4016 except for naming the dependents especially naming under aged children and Mr. Buckalew seconded. The motion passed unanimously 9-0.

WHEREUPON, Ms. Kirk provided an overview of H.B. 4135. After discussion, Mr. Rowe made a motion to give the Executive Director the authority to communicate with the Legislators in regards to H.B. 4135 indicating its general support of the Legislation as the the Commission views it as an opportunity to develop conflict of interest rules that would apply to a number of State agencies including the ones that are addressed in the current bill and Mr. Buckalew seconded. The motion passed unanimously 9-0.

WHEREUPON, Ms. Kirk presented an update of the WVEC Budget.

WHEREUPON, Ms. Suchy presented a monthly review of the WVEC P-Card purchases.

WHEREUPON, Mr. Rowe gave an overview of the Personnel Committee meetings regarding WVEC staff classifications and evaluations.

WHEREUPON, Ms. Kirk provided an overview to the Commission to consider the Personnel Committee's recommendations regarding employee job titles/classifications and hiring contract staff. After discussion, Mr. Rowe made a motion for the Commission to go into executive session. The motion passed 9-0. After the executive session, Mr. Rowe made a motion that the position classification of Administrative Secretary be changed to Administrative Services Assistant 3 and Mr. Buckalew seconded. The motion passed 9-0.

WHEREUPON, Chairperson Morton stated since there were no more items for discussion, the meeting stands adjourned.

The foregoing minutes of the West Virginia Ethics Commission were approved unanimously at a regular meeting of the Commission on March 4, 2010.


Kemp Morton, Chairperson
West Virginia Ethics Commission

ATTEST:


Lietta J. White, Acting Secretary
West Virginia Ethics Commission