

**MINUTES OF THE JULY 14, 2011
MEETING OF THE WEST VIRGINIA ETHICS COMMISSION**

The July 14, 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 Acting Chairperson Drema Radford. Also present in person were members Jack Buckalew, Frank Deem and Father Douglas Sutton. Chairperson Kemp Morton and members Ron Salmons and Monte Williams participated via telephone. Member Jon 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 Lobbyist Registrar Lucy Suchy were also in attendance.

WHEREUPON, Acting Chairperson Radford asked for approval of the June 2, 2011 Commission Meeting minutes.

WHEREUPON, Mr. Buckalew made a motion to approve the minutes of the June 2, 2011 meeting and Chairperson Morton seconded. The motion passed unanimously 7-0.

WHEREUPON, Acting Chairperson Radford announced the next meeting of the WV Ethics Commission is scheduled for August 4, 2011 at 10:00 a.m. in the Commission's office located at 210 Brooks Street, Suite 300, Charleston WV.

WHEREUPON, Acting Chairperson Radford called upon Ms. Kirk for a recap of the previous month. Ms. Kirk discussed training, Commission vacancies, new legislation regarding the financial disclosure forms and the ethics newsletter to be published in August 2011.

WHEREUPON, Acting Chairperson Radford called upon Ms. Parker to present Advisory Opinion 2011-12 to the Commission for consideration.

WHEREUPON, Ms. Parker presented Advisory Opinion 2011-12 to the Commission for consideration. After discussion, Father Douglas Sutton made a motion to approve Advisory Opinion 2011-12 as written and Mr. Buckalew seconded. The motion passed unanimously 7-0.

WHEREUPON, Acting Chairperson Radford called upon Ms. Parker to present Advisory Opinion 2011-13 to the Commission for consideration.

WHEREUPON, Ms. Parker presented Advisory 2011-13 to the Commission for consideration. After Ms. Parker presented Advisory Opinion 2011-13, Mr. Buckalew made a motion to approve Advisory Opinion 2011-13 for purposes of discussion. Father Douglas Sutton seconded the motion. After discussion, Mr. Deem made a motion to table Advisory Opinion 2011-13 to allow Ms. Parker to obtain further

information and Father Douglas Sutton seconded. The motion passed unanimously 7-0.

WHEREUPON, Acting Chairperson Radford 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, Acting Chairperson Radford called upon Ms. Kirk to present the Employment Exemption Request.

WHEREUPON, Ms. Kirk presented EE 2011-12 requested by Jody C. Jones. After discussion, Chairperson Morton made a motion to ratify the exemption and Mr. Buckalew seconded. The motion passed unanimously 7-0.

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

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

WHEREUPON, Ms. Kirk provided information to the Commission to consider lobbyist Ken Komoroski's request for a waiver or reduction of fee for filing his lobbyist report late. After discussion, Mr. Buckalew made a motion for the Commission to go into executive session for the purposes of discussing the waiver or reduction of fee and Vice Chairperson Radford seconded. Coming out of executive session, Chairperson Morton made a motion to grant the waiver request and Father Douglas Sutton seconded. After further discussion, Mr. Buckalew made a motion to reduce the \$90.00 fee to \$25.00 and Father Douglas seconded. The motion passed 6-1 with Mr. Salmons voting in the negative.

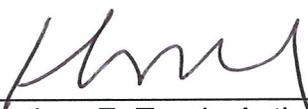
WHEREUPON, Ms. Kirk provided an overview to the Commission to consider the Recommended Decision and Order in VCRB 2008-20, Respondent Roger L. Wolfe, Former Mayor of Dunbar, WV. After discussion, Mr. Buckalew made a motion for the Commission to go into executive session for the purposes of considering the Recommended Decision and Order in VCRB 2008-20 and Vice Chairperson Radford seconded. After coming out of executive session, Father Douglas Sutton made a motion to accept the Recommended Decision in VCRB 2008-20 and Mr. Deem seconded. The motion passed unanimously 7-0. Chairperson Morton made a motion for the Commission to impose the following sanctions against Respondent Roger L. Wolfe: (A) Public reprimand; (B) Restitution in the amount of \$5,757.47 for reimbursement of personal expenses for meals, mileage and telephone expenses; (C) Fines in the amount of \$15,000 for the three violations of the Ethics Act to the Commission within 90 (ninety) days of the entrance of the Order; (D) Reimbursement to the Commission for the actual costs of investigating and prosecuting in the amount of \$5,698.07; (E) If Respondent Wolfe is, in the future, elected or appointed to public office or accepts public employment, that he cease and desist from expending public funds for

unauthorized personal expenses and Mr. Buckalew seconded. The motion passed unanimously 7-0.

WHEREUPON, Ms. Kirk asked the Commission to consider her recommendation for hiring a full-time investigator. After discussion, Mr. Buckalew made a motion that the Commission to go into executive session to discuss hiring the investigator and Vice Chairperson Radford seconded. After coming out of executive session, Chairperson Morton made a motion to hire Gordon Ingold as a full-time investigator for the Commission and Mr. Buckalew seconded. The motion passed unanimously 7-0.

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

The foregoing minutes of the West Virginia Ethics Commission were approved unanimously at the September 1, 2011 WVEC meeting.



Jonathan E. Turak, Acting Chairperson
West Virginia Ethics Commission

ATTEST:


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