

**MINUTES OF THE FEBRUARY 2, 2012
MEETING OF THE WEST VIRGINIA ETHICS COMMISSION**

The February 2, 2012 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 Kemp Morton. Also present in person were members Father Douglas Sutton and Jonathan Turak. Members Jack Buckalew, Drema Radford, Ron Salmons and Monté Williams participated via telephone. Member Frank Deem was absent. Executive Director Theresa M. Kirk, General Counsel C. Joan Parker, Deputy General Counsel Martin J. Wright and Paralegal/Acting Secretary Lietta J. White were in attendance from the Commission staff.

WHEREUPON, Chairperson Morton asked for approval of the January 12, 2012 Commission Meeting minutes.

WHEREUPON, Mr. Turak made a motion to approve the minutes of the January 12, 2012 meeting and Father Douglas Sutton seconded. The motion passed unanimously 7-0.

WHEREUPON, Chairperson Morton asked the Commission Members if there were comments regarding page 2 of the January 12, 2012 commission meeting minutes referencing the Policies and Procedures Relating to Informal Staff Advice. The Commission Members had no comments.

WHEREUPON, Chairperson Morton announced the next meeting of the WV Ethics Commission is scheduled for March 1, 2012 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 sessions that had been conducted.

WHEREUPON, Chairperson Morton called upon Ms. Parker to present Advisory Opinion 2011-22 to the Commission for consideration.

WHEREUPON, Ms. Parker presented Advisory Opinion 2011-22 to the Commission for consideration. After discussion, Mr. Turak made a motion to approve Advisory Opinion 2011-22 and Mr. Buckalew seconded. The motion passed unanimously 7-0.

WHEREUPON, Chairperson Morton called upon Ms. Kirk to present Advisory Opinion 2012-01 to the Commission for consideration.

WHEREUPON, Ms. Kirk presented Advisory Opinion 2012-01 to the Commission for consideration. After discussion, Father Douglas Sutton made a motion to approve

Advisory Opinion 2012-01 and Mr. Williams seconded. The motion passed unanimously 7-0.

WHEREUPON, Chairperson Morton, with unanimous consent, did take out of order Advisory Opinion 2012-06 and called upon Ms. Kirk to present Advisory Opinion 2012-06 to the Commission for consideration.

WHEREUPON, Member Turak recused himself from deliberation and discussion due to personal conflict of interest but stayed present for purposes of maintaining a quorum.

WHEREUPON, Ms. Kirk presented Advisory Opinion 2012-06 to the Commission for consideration. After discussion, Mr. Williams made a motion to approve Advisory Opinion 2012-06 and Mr. Buckalew seconded. The motion passed 4-2. Members Buckalew and Salmons voted in the negative. Member Turak did not vote.

WHEREUPON, Chairperson Morton called upon Ms. Kirk to present Advisory Opinion 2012-02 to the Commission for consideration.

WHEREUPON, Ms. Kirk presented Advisory Opinion 2012-02 to the Commission for consideration. After discussion, Mr. Turak made a motion to approve Advisory Opinion 2012-02 and Father Douglas Sutton seconded. The motion passed 7-0.

WHEREUPON, Chairperson Morton called upon Mr. Wright to present Advisory Opinion 2012-03 to the Commission for consideration.

WHEREUPON, Mr. Wright presented Advisory Opinion 2012-03 to the Commission for consideration. After discussion, Mr. Turak made a motion to approve Advisory Opinion 2012-03 and Ms. Radford seconded. The motion passed 6-1. Member Salmons voted in the negative.

WHEREUPON, Chairperson Morton called upon Ms. Parker to present Advisory Opinion 2012-04 to the Commission for consideration.

WHEREUPON, Ms. Parker presented Advisory Opinion 2012-04 to the Commission for consideration. After discussion, Mr. Turak made a motion to approve Advisory Opinion 2012-04 and Father Douglas Sutton seconded. The motion passed unanimously 7-0.

WHEREUPON, Chairperson Morton called upon Ms. Kirk to present Advisory Opinion 2012-05 to the Commission for consideration.

WHEREUPON, Ms. Kirk presented Advisory Opinion 2012-05 to the Commission for consideration. After discussion, Mr. Buckalew made a motion to approve Advisory Opinion 2012-05 and Ms. Radford seconded. The motion passed unanimously 7-0.

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

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

WHEREUPON, Ms. Kirk presented EE 2012-02 requested by James Brian Mills. After discussion, Father Douglas made a motion to ratify the request and Mr. Williams seconded. The motion passed unanimously 7-0.

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

WHEREUPON, Ms. Kirk presented information to the Commission to consider Attorney A. Andrew MacQueen to serve as Hearing Examiner.

WHEREUPON, Chairperson Morton announced he had appointed Attorney A. Andrew MacQueen to serve as Hearing Examiner, subject to the full Commission's ratification at a subsequent meeting.

WHEREUPON the Commission reviewed the annual report.

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.

The foregoing minutes of the West Virginia Ethics Commission were approved unanimously at the March 1, 2012 WVEC meeting.



Kemp Morton, Chairperson
West Virginia Ethics Commission

ATTEST:



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