

Commonwealth of Virginia

Walter S. Felton, Jr., Chair
Patricia L. West, Vice Chair
Chris Piper, Executive Director



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Virginia Conflict of Interest and Ethics Advisory Council

Meeting Minutes Virginia Conflict of Interest & Ethics Advisory Council September 28, 2015, 2 p.m. House Room C, GAB

The following Council members were present:

Senator Tommy Norment
Senator Janet Howell
Delegate Jennifer McClellan
Delegate Todd Gilbert
The Honorable Walter Felton, Jr.
The Honorable Patricia West
Bernard Henderson
Walter Erwin

Staff:

Chris Piper, Executive Director
Rebekah Stefanski, Staff Attorney
Michelle LeGates, Filing Coordinator
Iris Fuentes, Senior Operations Assistant

The following Council member was not present:

Sharon Pandak

Summary:

- I. Senator Tommy Norment called the meeting to order at 2 p.m.
- II. Executive Director Chris Piper introduced each member of the Council as well as the staff of the Council.
- III. Sen. Janet Howell nominated Judge Walter Felton as chair and the nomination was seconded. Judge Felton was unanimously confirmed as chair.

Del. Todd Gilbert nominated Judge Patricia West as vice-chair and the nomination was seconded. Judge West was unanimously confirmed as vice-chair.

- IV. Judge Felton called on Mr. Piper to review staff recommendations for the Council to consider delegating its duties (see Council Overview and Staff Recommendation of Council Duties document*).
 - a. Del. Gilbert made a motion to delegate any additional unforeseen duties to the staff until the Council meets again. No objections were recorded.
 - b. Bernard Henderson requested a report of informal guidance provided by the staff and staff agreed to provide the report to the Council on a regular basis.
 - c. Del. Gilbert requested staff draft a procedure for protecting confidentiality of informal guidance for staff and Council.
 - d. Judge Felton made a motion to approve the amended recommendations and it was seconded. The Council unanimously voted to adopt the staff recommendations.

- V. Staff recommendations regarding forms and procedures.
 - a. Mr. Piper presented staff recommendations on Conflict of Interest Forms and Procedures, which included the General Assembly and State & Local Statements of Economic Interests, the Financial Disclosure Form, and the Real Estate Disclosure Form.

Judge Felton made a motion to approve the forms and procedures and it was seconded. The Council voted unanimously to adopt the staff recommendations.
 - b. Mr. Piper presented staff recommendations on Lobbyist Registration and Disclosure Forms and Procedures.

Judge Felton made a motion to approve the forms and procedures and it was seconded. The Council voted unanimously to adopt the staff recommendations.
 - c. Mr. Piper presented staff recommendations for Formal Advisory Opinion Procedures and Informal Guidance Procedures.

Mr. Henderson brought up a concern and suggested that the Council amend the Formal Advisory Opinion Procedures to remove the ability to request a formal opinion via telephone. A motion was made and seconded to remove "telephone" from the Formal Advisory Opinion Procedures. The Council approved the motion by a vote of 6 to 2.

Judge Felton made a motion to approve staff recommendations for Formal Advisory Opinion Procedures, as amended, and Informal Guidance Procedures and it was seconded. The Council approved the motion.

- VI. Other organizational issues before the Council.
 - a. Mr. Piper presented a staff recommendation to delegate authority of daily operations of the Council to the Executive Director.

Judge Felton made a motion to approve the staff recommendation and it was seconded. The Council unanimously approved the motion.

- b. Mr. Piper presented a staff recommendation to delegate development of the Council's website to the Executive Director.

Judge Felton made a motion to approve the staff recommendation and it was seconded. The Council unanimously approved the motion.

- VII. Judge Felton asked for public comment.

David Bailey of David Bailey & Associates pointed out a confusing part of the lobbyist disclosure form. Several members of the Council discussed their desire to remove the forms from the Code of Virginia and provide authority to the Council to develop the forms.

- VIII. Judge Felton requested staff to poll the members of the Council following the meeting to establish the next meeting date.

- IX. Judge Felton made a motion to adjourn; it was seconded and confirmed unanimously.

* All documents discussed at the meeting are available on the Council's website.