

Merom Brachman, *Chairman*  
Mark A. Vander Laan, *Vice Chairman*  
Bruce E. Bailey  
Megan C. Kelley  
Mary M. Ross-Dolen  
Elizabeth E. Tracy



OHIO ETHICS COMMISSION  
William Green Building  
30 West Spring Street, L3  
Columbus, Ohio 43215-2256  
Telephone: (614) 466-7090  
Fax: (614) 466-8368

Paul M. Nick  
*Executive Director*

[www.ethics.ohio.gov](http://www.ethics.ohio.gov)

---

OHIO ETHICS COMMISSION  
MINUTES OF MEETING  
MAY 24, 2023

MEMBERS OF THE COMMISSION

Merom Brachman	Megan C. Kelley	Bruce E. Bailey
Elizabeth E. Tracy	Mary M. Ross-Dolen	Mark A. Vander Laan

CALL TO ORDER

The meeting of the Ohio Ethics Commission was called to order at 10:39 a.m. in Room 2 on Level 2 of the William Green Building, at 30 West Spring Street, in Columbus, Ohio.

ROLL CALL

The following Commission Members were present: Mr. Bailey, Mr. Brachman, Ms. Kelley, Ms. Ross-Dolen, Ms. Tracy, and Mr. Vander Laan. Staff present: Executive Director Paul M. Nick; IT & Financial Disclosure Administrator Brian Ring; Deputy Director/General Counsel Jed Hood; HR & Fiscal Manager Alan Carlson; Lead Advisory Attorney Christopher Woeste; Advisory Attorney Kristin Cly; Advisory Attorney Katie Saks; and Investigative Attorney Molly Bruns. Assistant Attorney General Beth Fligner joined the meeting after the Executive Session.

EXECUTIVE SESSION

MOTION by Mr. Vander Laan, seconded by Ms. Ross-Dolen, to go into Executive Session to discuss matters that are statutorily confidential, including pending litigation, updates on investigations and complaints, and the confidential financial disclosure report. Mr. Bailey, Ms. Kelley, Ms. Ross-Dolen, Ms. Tracy, Mr. Vander Laan, and Mr. Brachman voted “yes.” The motion was approved, and the Commission, pursuant to Section 102.06 and 121.22 of the Revised Code, went into Executive Session at 10:40 a.m.

The Commission returned to open session at 11:11 a.m.

PREVIOUS MEETING MINUTES

The Commission reviewed the draft minutes from the April 14, 2023 Commission meeting.

MOTION by Mr. Vander Laan, seconded by Ms. Tracy, that the Commission approve the minutes of the April 14, 2023, Commission meeting. Ms. Kelley, Ms. Ross-Dolen, Ms. Tracy, Mr. Vander Laan, and Mr. Brachman voted “yes”. The motion was approved. Mr. Bailey abstained.

### ADVISORY OPINIONS AND STATISTICS

Mr. Nick introduced the statistics and closed advisory opinion report from the advisory section. Mr. Vander Laan asked about letters Commission staff issued that did not provide opinions to these requesters. Mr. Nick explained that Commission staff does not provide opinions to third party requesters and both Mr. Woeste and Ms. Cly provided specific information regarding requests that were responded to with letters.

Mr. Nick introduced the request and draft of Informal Opinion 2023-INF-0524, noting that this opinion was drafted as an informal opinion because it addresses a set of facts that the Commission has never opined on before. Mr. Woeste summarized the draft, noting it discussed in-term raises for City Council members and two different options proposed to provide an increase in compensation. He further noted that some edits suggested by Mr. Bailey and Ms. Ross-Dolen were included in the draft. Mr. Brachman complimented the Advisory Committee's input and noted the broad applicability of the opinion. Mr. Brachman and Mr. Bailey suggested including guidance on proper ways to statutorily provide for compensation increases. Ms. Kelley stated that the draft was clearly written.

MOTION by Mr. Vander Laan, seconded by Ms. Kelley, to approve Informal Opinion No. 2023-INF-0524. The motion passed unanimously.

### EXECUTIVE DIRECTOR'S REPORT

Mr. Nick provided updates to the Commission on the budget and staffing.

Mr. Nick noted that he and the Chair met with the Speaker of House related to H.B. 16. Mr. Nick mentioned that he also has received a request for meeting with Representative Derek Merrin, who is the sponsor on H.B. 16. Mr. Nick pointed out that in this bill there are components that are procedural and components that are more substantive. Mr. Brachman added that one proposal would enhance the penalties for violating the conflict of interest statutes under R.C. 102.03.

Mr. Nick then reported that he has sent a letter to all city mayors reminding them that the Ethics Laws apply to federal stimulus funds that have been released to cities. He added that the letter provided guidance on recusal and other requirements under the law.

### LEGISLATION UPDATE

Mr. Hood reviewed the legislative report in the packet. Ms. Kelley mentioned that she has learned of an upcoming bill that would allow boards and commissions to meet remotely.

### PUBLIC EDUCATION AND INFORMATION

In Ms. Willeke's absence, Mr. Nick reviewed the information in the packet report. Mr. Brachman asked about the advanced webinar topic. Mr. Nick responded that this webinar is targeted for legal and HR professionals who are already familiar with the basics of the Ethics Law.

### FINANCIAL DISCLOSURE STATISTICS REPORT/COMPLAINT REPORT

Mr. Ring reviewed the packet material and mentioned the general filing deadline was this past Monday May 15<sup>th</sup>, 2023. Mr. Ring mentioned that all filers that missed the deadline were notified by letter the next day. Mr. Ring discussed the difference between “non-compliant” and “late” filers.

Mr. Brachman questioned the numbers of filers required to file on calendar year 2022 statements. Mr. Ring replied that those numbers will increase significantly due to candidates which will be required to file in the November general election. Ms. Bruns stated that the commission referred seven new failures to file FDS complaints to the Columbus City Attorney’s Office. She added that complaints were subsequently filed in the Franklin County Municipal Court and the arraignments are scheduled for next week.

DATE OF FUTURE MEETINGS

The Commission set the next meeting for Wednesday, June 28, 2023, at 12:00 p.m.

MOTIONS

Complaint Dismissals:

MOTION by Ms. Kelley, seconded by Ms. Ross-Dolen, to dismiss Complaints No. 23-C-001 and 23-C-002, for failure to comply with Administrative Rule No. 102-5-07. The motion passed unanimously.

MOTION by Ms. Ross-Dolen, seconded by Mr. Bailey, to dismiss the financial disclosure complaints against the individuals listed in the packet report, for good cause shown. The motion passed unanimously.

Late Fee Waivers:

MOTION by Mr. Vander Laan, seconded by Ms. Tracy, to waive the late fees for the individuals listed in the packet report. The motion passed unanimously

R.C. 102.07 – Release Information:

MOTION by Mr. Vander Laan, seconded by Ms. Kelley, to authorize staff to release to the Columbus Division of Police, Internal Affairs Bureau, the documents in Investigation No. 16-Q-0122-003. The motion passed unanimously.

The meeting was adjourned at 12:00 p.m.

These minutes are respectfully submitted by:

*/s/ Paul M. Nick*

---

Paul M. Nick  
Executive Director