

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  
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Paul M. Nick  
*Executive Director*

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OHIO ETHICS COMMISSION  
MINUTES OF MEETING  
AUGUST 17, 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 12:11 p.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. Brachman, Mr. Bailey, Ms. Kelley, Ms. Ross-Dolen, Ms. Tracy, and Mr. Vander Laan. Staff present: Executive Director Paul M. Nick; Deputy Director/General Counsel Jed Hood; Education and Communications Administrator Susan Willeke; IT & Financial Disclosure Administrator Brian Ring; HR & Fiscal Manager Alan Carlson; Lead Advisory Attorney Christopher Woeste; Advisory Attorneys Kristin Cly and Katie Saks; and Investigative Attorneys Molly Bruns and Nicole Candelora-Norman. Assistant Attorney General Brittany Collins joined the meeting after the Executive Session.

EXECUTIVE SESSION

MOTION by Ms. Kelley, seconded by Mr. Vander Laan, 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 12:11 p.m.

The Commission returned to open session at 12:49 p.m.

PREVIOUS MEETING MINUTES

The Commission reviewed the draft minutes from the June 28, 2023, Commission meeting. Mr. Brachman requested one edit to his comments concerning the discussion of the Commission’s legislative proposal.

MOTION by Mr. Vander Laan, seconded by Mr. Bailey, that the Commission approve the amended minutes of the June 28, 2023, Commission meeting. The motion passed unanimously.

### ADVISORY OPINIONS AND STATISTICS

Mr. Nick introduced the advisory activity report, noting that advisory staff issued 22 opinions since June 16, 2023. Mr. Woeste noted two staff opinions on the report. Mr. Nick and Mr. Brachman highlighted another staff opinion that was issued to the Governor's Office concerning a prospective board appointment.

### EXECUTIVE DIRECTOR'S REPORT

The Executive Director introduced the Commission to the newest Special Investigator, David Sturman. The Commission welcomed Mr. Sturman to the staff. He also introduced newly assigned Assistant Attorney General Brittany Collins.

Mr. Nick then reviewed a memo on proposed legislation to enhance the penalty for some conflict of interest violations if the thing of value offered or given to a public official or employee exceeded \$7,500. The proposal would also include a provision that anyone convicted of violating the conflict of interest statute would be disqualified from holding public office, employment, or a position of trust in this state for seven years. Mr. Nick explained that enhancing the potential penalties to a felony would be a stronger deterrent. He also noted that the statute of limitations for felony violations is longer than for misdemeanor violations.

Mr. Vander Laan asked if a seven-year prohibition would be upheld by a court if a respondent is charged with a conflict of interest, as opposed to a felony. Mr. Bailey also inquired if the phrase "holding a position of trust in the state" would apply only to state positions, but also to local governments positions. Mr. Hood stated that he will research these questions and report back to the Commission.

### LEGISLATION UPDATE

Mr. Hood reported that due to the public attention to Issue 1 on the recent ballot, there has been little to no movement on bills at the Ohio Legislature recently.

### PUBLIC EDUCATION AND INFORMATION

Ms. Willeke reviewed the information in the packet and welcomed the Commission members' input on commemorating the Commission's 50<sup>th</sup> anniversary in 2024. The Chairman indicated that he would meet with Mr. Nick and Ms. Willeke to discuss and plan for the anniversary next year.

### FINANCIAL DISCLOSURE STATISTICS REPORT/COMPLAINT REPORT

Mr. Ring explained that the deadline for write-in candidates to file their declarations of intent to become candidates is August 28th and that FDS staff would begin collecting candidate lists and adding candidates to the FDS system after that date. As a result, he reported that by the next Commission meeting, the number of filers listed as being required to file a calendar year 2022 FDS should be considerably higher.

Ms. Bruns reported to the Commission on the FDS hearings conducted earlier in the day at which Ms. Tracy volunteered to be the Hearing Examiner. The hearings involved three individuals and staff hope they will file before it becomes necessary to send the case to the Franklin County Municipal Court for further action.

## OTHER MATTERS

Ms. Tracy commended Mr. Nick on a presentation he gave on August 16. She stated that she serves on the board of the International Visitors Council who recently hosted 17 anti-corruption officials from various European countries, including Armenia, Bulgaria, Italy, Lithuania, Romania, and Ukraine. These officials were sponsored by the U.S. State Department and met with several local and state officials in Columbus to discuss efforts to combat public corruption, including Mr. Nick. She noted that the attendees provided the Council with very positive feedback on Mr. Nick's presentation. She expressed her gratitude and pride on how well the Commission was represented by Mr. Nick's interaction with these foreign visitors.

Mr. Brachman added that Mr. Nick will be representing the Commission on a trip later this month to India that is sponsored by the U.S. State Department. The group from Ohio and Pennsylvania will meet with local and state officials in Chennai, India to discuss legislative processes and good government principles.

## MOTIONS

### Complaint Dismissals:

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

### Late Fee Waivers:

MOTION by Ms. Kelley, seconded by Ms. Ross-Dolen, to waive the late fees for the individuals listed in the packet report. The motion passed unanimously.

### Collections

MOTION by Ms. Tracy, seconded by Ms. Kelley, to refer to the Attorney General's Office for collections the individuals listed in the packet report. The motion passed unanimously.

## DATE OF FUTURE MEETINGS

The Commission set the next meeting for Friday, September 29, 2023, at noon.

The meeting was adjourned at 1:26 p.m.

These minutes are respectfully submitted by:

*/s/ Paul M. Nick*

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Paul M. Nick  
Executive Director

