

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  
MARCH 8, 2024

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 12:07 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, 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; Chief Advisory Attorney Christopher Woeste; Advisory Attorney Katie Saks; Investigative Attorneys Molly Bruns and Nicole Candelora-Norman; Case Management Coordinator Shana Rolfe; and Assistant Attorney General Brittany Collins.

Commissioner Bruce Bailey was not present at the meeting with an excused absence.

EXECUTIVE SESSION

MOTION by Ms. Tracy, 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. 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 12:08 p.m.

The Commission returned to open session at 12:30 p.m.

PREVIOUS MEETING MINUTES

The Commission reviewed the draft minutes from the January 26, 2024, Commission meeting.

MOTION by Ms. Ross-Dolen, seconded by Ms. Kelley, that the Commission approve the minutes of the January 26, 2024, Commission meeting. The motion passed with Mr. Brachman, Mr. Vander Laan, Ms. Kelley, Ms. Ross-Dolen, and Ms. Tracy voting “yes.”

### ADVISORY OPINIONS AND STATISTICS

Mr. Nick reviewed the advisory and investigative statistics, noting that over 60% of the advisory opinion requests and 75% of the pending investigations concerned counties, cities, townships and villages. Mr. Nick then introduced the Advisory Activity Reports and invited questions on the report.

Ms. Ross-Dolen asked about the language in the Staff Opinion issued to attorney Scott North, and Mr. Woeste responded. Mr. Brachman asked if Mr. Woeste received any feedback on this opinion, and Mr. Woeste said no. Mr. Brachman asked about the Staff Opinion issued to Paul Shipp, and Mr. Woeste responded.

### EXECUTIVE DIRECTOR’S REPORT

Mr. Nick reviewed the information in the packet, including proposed Ethics Reform legislation from the Ohio Attorney General. He noted that the proposal discussed by the legislature included three parts, including an online, searchable database of financial disclosure statement by candidates and holders of elected offices throughout the state. Another part would allow the Commission to directly seek investigative assistance from the Bureau of Criminal Investigations (BCI). Mr. Brachman noted that the Commission had previously suggested this change as it would allow the Commission to proactively seek their assistance rather than relying on local prosecutors to do so. Mr. Nick added that this would be helpful in matters over which the Commission does not have jurisdiction, such as theft in office and bribery, but that arise during Commission investigations.

Mr. Nick also reported that staff will keep Commission members updated on the Administrative Rule Amendment that is being drafted by Investigative Attorney Nicole Candelora-Norman. The Investigative Committee reviewed this topic at its meeting prior to the Commission meeting.

Finally, Mr. Nick informed the Commission of a recent email from Sean Culley, Vice President and General Counsel at Wright State University. Mr. Culley complimented Commission staff, especially the advisory attorneys and the education section. He praised the prompt and excellent guidance received from the advisory attorneys and the effective continuing legal education provided by the education staff.

### LEGISLATION UPDATE

Mr. Hood pointed out several pieces of legislation that have had some movement in the Statehouse recently: (1) HB 257 addresses virtual meetings and has had its first hearing (sponsor testimony) in the Senate. (2) HB 315 would revise aspects of township law and has had two hearings in the House. (3) HB 415 would create a new commission and staff will monitor whether members would be required FDS filers. (4) SB 91 will become effective on March 28, 2024, and addresses issues related to fraud, waste, abuse, and associated mandatory reporting. Mr. Hood will review the bill analysis and update the Commission.

PUBLIC EDUCATION AND INFORMATION

Ms. Willeke summarized the information in the packet and notified the Commission of a recent compliment in a bulletin released by the Council on Governmental Ethics Laws (COGEL) on some of the Commission's education materials that are customized for particular public sector audiences. She noted that other ethics agencies have modeled their materials on those the Commission has created.

FINANCIAL DISCLOSURE STATISTICS REPORT/COMPLAINT REPORT

Mr. Ring reported that more than 1,000 candidates filed FDS statements in anticipation of the March 19 primary election.

Ms. Bruns thanked Ms. Ross-Dolen for agreeing to serve as the hearing officer at the upcoming May 31 FDS Complaint Hearing. She pointed out two recent prosecutorial actions, including one dismissal for a previously noncompliant filer who is now in compliance and has paid associated court costs.

MOTIONS

Late Fee Waivers:

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

Complaint Dismissals:

MOTION by Mr. Vander, seconded by Ms. Tracy, to dismiss the financial disclosure complaints filed against the individuals listed in the packet report, for good cause shown. The motion passed unanimously.

Collections:

MOTION by Ms. Ross-Dolen, 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 Thursday, April 18, 2024, at noon with the Investigative Committee meeting at 11 a.m. the same day.

The meeting was adjourned at 12:54 p.m.

These minutes are respectfully submitted by:

*/s/ Paul M. Nick*

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Paul M. Nick  
Executive Director