

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



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Paul M. Nick  
*Executive Director*

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OHIO ETHICS COMMISSION  
MINUTES OF MEETING  
NOVEMBER 1, 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 12:04 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: Deputy Director/General Counsel Jed Hood; Chief Advisory Attorney Christopher Woeste; Education; IT & Financial Disclosure Administrator Brian Ring; HR & Fiscal Manager Alan Carlson; Investigative Attorneys Molly Bruns and Nicole Candelora-Norman. Joining the meeting after Executive Session were Assistant Attorney General Brittany Collins; Advisory Attorney's Katie Saks and Melissa Riggins.

Executive Director Paul Nick was not in attendance at the meeting with an excused absence.

EXECUTIVE SESSION

MOTION by Mr. Vander Laan, seconded by Mr. Bailey, to go into Executive Session to discuss matters that are statutorily confidential, including pending litigation, updates on investigations and complaints, 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 12:05 p.m.

The Commission returned to open session at 12:39 p.m.

PREVIOUS MEETING MINUTES

The Commission reviewed the draft minutes from the August 23, 2024, Commission meeting.

MOTION by Mr. Vander Laan, seconded by Ms. Tracy, that the Commission approve the minutes of the August 23, 2024, Commission meeting. Mr. Bailey, Ms. Kelley, Ms. Ross-Dolen, Ms. Tracy, Mr. Vander Laan, and Mr. Brachman voted yes. The motion was approved.

The Advisory Committee members reviewed the draft minutes from the August 23, 2024, Advisory Committee meeting.

MOTION by Ms. Ross-Dolen, seconded by Mr. Bailey, that the Advisory Committee approve the minutes of the August 23, 2024, Advisory Committee meeting. Mr. Bailey, Ms. Ross-Dolen, voted yes. Ms. Kelley abstained. The motion was approved.

The Commission believes it is important to address the unplanned cancelation of the previously scheduled meeting on October 4, 2024. The Commission reviewed the draft and instructed staff to publish this summary as it would be the official minutes.

#### MOTION

The Commission members reviewed a proposed resolution requesting the Public Utilities Commission of Ohio Nominating Council have applicants file financial disclosures. Mr. Vander Laan suggested modifications to the resolution.

MOTION by Mr. Vander Laan to adopt the resolution with the modifications as suggested, seconded by Ms. Tracy. Mr. Bailey, Ms. Kelley, Ms. Ross-Dolen, Ms. Tracy, Mr. Vander Laan, and Mr. Brachman voted yes. The motion was approved.

#### ADVISORY OPINIONS AND STATISTICS

Mr. Hood introduced the advisory and investigative statistics and the advisory activity report. Mr. Woeste addressed the Commission's questions regarding several staff opinions including the Staff Opinion issued to Michelle Flanigan.

Mr. Woeste addressed the memo regarding the Eastern Gateway Community College Governance Authority, Conservator, and Executive Director each exercise substantial and material the sovereign authority of the state, and that the Commission staff recommends the Commission require each of them to file annual financial disclosures with the Commission pursuant to R.C. 102.02(B).

MOTION by Mr. Vander Laan, seconded by Mr. Bailey, pursuant to Revised Code Section 102.02(B), that the Ethics Commission determines that a conservator, governance authority member, or an executive director appointed by a governance authority for a state college or university engage in the substantial and material exercise of the sovereign authority of the state, and that any person appointed to these positions will be required to file a financial disclosure statement with the Commission, with the first statement being due within 90 days after their appointment, except for any individual that has already been appointed to any of these positions. Those appointed prior to the Commission decision will be required to file their first statement within 90 days of this decision. Mr. Bailey, Ms. Kelley, Ms. Ross-Dolen, Ms. Tracy, Mr. Vander Laan, and Mr. Brachman voted yes. The motion was approved.

#### EXECUTIVE DIRECTOR'S REPORT

Mr. Hood introduced the material as shown in the packet and discussed the two items listed. Mr. Hood mentioned to the members to email Mr. Nick with any questions that may arise, on the topics of budget and the PUCO meeting.

### LEGISLATION UPDATE

Mr. Hood summarized the legislative report shown in the packet. Mr. Hood mentioned that there is one additional House Bill that he is tracking and that is HB363. The General Assembly is still not in session yet.

### PUBLIC EDUCATION AND INFORMATION

In Ms. Willeke's absence, Mr. Hood introduced the material shown in the packet. Mr. Hood noted the quarterly newsletter went out and highlighted the specific trainings that Ms. Willeke is currently conducting and how helpful they have been.

### FINANCIAL DISCLOSURE STATISTICS REPORT/COMPLAINT REPORT

Mr. Ring reported, based on the statistics presented in the financial disclosure report for calendar year 2023 financial disclosure statements, that he expects the number of individuals who filed a financial disclosure statement after their required deadline to be the lowest it has been in several years. He expects that number to remain under 4% overall for the 2023 filing period.

Ms. Bruns mentioned that we are winding down with last round of hearings with approximately 33 non-compliant filers outstanding. Ms. Bruns requested if any members are interested in serving as a hearing officer to reach out to her directly for upcoming FDS hearings. Hearings are likely in late February or early March calendar year 2025.

### MOTIONS

#### Late Fee Waivers:

MOTION by Ms. Ross-Dolen, seconded by Ms. Kelley, to waive the financial disclosure statement late fees for the individuals listed in the packet report. Mr. Bailey, Ms. Kelley, Ms. Ross-Dolen, Ms. Tracy, Mr. Vander Laan, and Mr. Brachman voted yes. The motion was approved.

#### Complaint Dismissals:

MOTION by Mr. Bailey, seconded by Ms. Ross-Dolen, to dismiss the financial disclosure complaints filed against the individuals listed in the packet report, for good cause shown. Mr. Bailey, Ms. Kelley, Ms. Ross-Dolen, Ms. Tracy, Mr. Vander Laan, and Mr. Brachman voted yes. The motion was approved.

#### Referrals to Ohio Attorney General's Office for Collections:

MOTION by Ms. Kelley, seconded by Mr. Vander Laan, to refer to the Attorney General's Office for collections the individuals listed in the packet report. Mr. Bailey, Ms. Kelley, Ms. Ross-Dolen, Ms. Tracy, Mr. Vander Laan, and Mr. Brachman voted yes. The motion was approved.

### DATE OF FUTURE MEETINGS

The Commission set the next meetings for Tuesday, December 17, 2024, at 11 a.m. with the Investigative Committee meeting at 10 a.m. and Tuesday January 21, 2025, at 11 a. m. with an investigative meeting at 10:00 a.m.

The meeting was adjourned at 1:30 p.m.

These minutes are respectfully submitted by:

*/s/ Jed Hood*

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Jed Hood  
Deputy Director/General Counsel