

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
JANUARY 21, 2025

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 11:07 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. Brachman, Ms. Kelley, Ms. Ross-Dolen, Ms. Tracy, and Mr. Vander Laan. Staff present: Executive Director Paul M. Nick; Chief Advisory Attorney Christopher Woeste; Education and Communications Administrator Susan Willeke; IT and Financial Disclosure Administrator Brian Ring; HR & Fiscal Manager Alan Carlson; Investigative Attorneys Molly Bruns and Nicole Candelora-Norman; Investigative Assistant Shana Kaplan, and Assistant Attorney General Brittany Collins. Joining the meeting after Executive Session were Advisory Attorneys Katie Saks and Melissa Riggins; Legal Extern Diana de los Santos Torres.

Commissioner Bailey was not in attendance with an excused absence.

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, 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 11:07 a.m.

The Commission returned to open session at 11:51 a.m.

ELECTION OF OFFICERS

Mr. Brachman invited discussion and nominations for a Chairman and Vice Chair.

MOTION by Ms. Tracy, seconded by Ms. Kelley, to re-elect Mr. Brachman as Chairman and to re-elect Mr. Vander Laan as Vice Chairman. Ms. Kelley, Ms. Ross-Dolen, Ms. Tracy, Mr. Vander Laan, and Mr. Brachman voted "yes." The motion was approved.

PREVIOUS MEETING MINUTES

The Advisory Committee members reviewed the draft minutes from the November 1, 2024, Advisory Committee meeting.

MOTION by Ms. Kelley, seconded by Ms. Ross-Dolen, that the Commission approve the minutes of the November 1, 2024, Advisory Committee meeting. Ms. Kelley, and Ms. Ross-Dolen voted yes. The motion was approved.

The Commission reviewed the draft minutes from the December 17, 2024, Commission meeting.

MOTION by Ms. Ross-Dolen, seconded by Mr. Vander Laan, that the Commission approve the minutes of the December 17, 2024, Commission meeting. Ms. Ross-Dolen, Ms. Tracy, Mr. Vander Laan, and Mr. Brachman voted yes. Ms. Kelley abstained. The motion was approved.

ADVISORY OPINIONS AND STATISTICS

Mr. Nick introduced the Advisory Statistics and Advisory Activity Report. Mr. Woeste summarized the Advisory Section Annual Report and Advisory Statistics. He highlighted Formal Advisory Opinion No. 2024-01 and noted that the Commission has received positive feedback on this Opinion. Mr. Brachman and Ms. Ross-Dolen asked questions about the Annual Report and Statistics, and Mr. Woeste responded. Mr. Brachman also noted that the reason people are emailing and calling the Advisory Section with questions is to properly work with public money and public processes.

Mr. Nick introduced the Advisory Activity Report. Mr. Brachman asked what determines the issuance of a “detailed guidance letter” in a “past facts” question, as listed in the Brief Answer to the Staff Opinion issued to Vicki Radebaugh. Ms. Saks explained that even though it may be a past facts question, staff still provides guidance. Mr. Brachman asked if a public official could include her public employment in her biography. Mr. Nick and Ms. Saks responded discussing the difference between merely listing a public official’s position and using a public position to secure something of value.

Ms. Ross-Dolen asked about the Staff Opinion issued to Stephen Smith and the identity of the requester. Ms. Riggins explained that Mr. Smith is the attorney representing the council member at issue in the opinion and that the council member did not wish to be identified. Mr. Nick explained that sometimes requesters ask hypothetical questions and that staff typically reach out to the requester for more information.

Mr. Brachman asked about the Staff Opinion issued to David Pontius. Mr. Woeste explained that staff screen requests to ensure they are prospective and provide detailed guidance letters where appropriate.

EXECUTIVE DIRECTOR’S REPORT

Mr. Nick highlighted the events that lead to the Commission requesting that the Governor veto a last minute amendment to H.B. 315 that would have exempted village mayors and other executive officers from having a prohibited interest in public contracts in their own villages. Mr. Nick extended his gratitude to City of Columbus Chief Ethics Officer Renata Ramsini for alerting him to this last-minute insertion into H.B. 315.

Mr. Nick introduced legal extern Diana de los Santos Torres to the Commission, who welcomed her to the staff. Mr. Nick noted that she is an attorney from the Dominican Republic who is pursuing a Master of Laws

(LL.M.) degree at The Ohio State University Moritz College of Law and will be with staff for the duration of the semester.

Mr. Nick also updated the Commission on the new requirement that Public Utilities Commission of Ohio (“PUCO”) board candidates complete and file a financial disclosure statement. He reported that five statements have been received and are now available for public viewing. Staff reviewed the statements and extracted and identified entities with which PUCO board candidates could have a potential conflict of interest and shared that information with the PUCO Nominating Council. After reviewing their own files, the PUCO confirmed that the board candidates have not had recent involvement with those identified entities. While a few filers made some incomplete disclosures of their investment interests, amended versions were quickly forthcoming when requested.

Mr. Brachman noted that the new filing requirement for PUCO board candidates resulted from a November Commission meeting initiative and is designed to shed light on PUCO’s nominating process.

INVESTIGATIVE STATISTICS

Mr. Nick reviewed the 2024 Investigative Section Annual Report included in the packet. He highlighted the creation of the Notice of Potential Violation process that the Commission has used to resolve over 50 cases in 2024.

LEGISLATION UPDATE

Mr. Nick summarized the legislative report, noting that the new Speaker of the House had reduced the number of house committees.

PUBLIC EDUCATION AND INFORMATION

Ms. Willeke reviewed the 2024 statistics for the Training and Communications Section, noting that speech numbers have returned to the pre-pandemic 200+ per year. She pointed out that state agencies appear to be relying more heavily on the Commission’s online training options rather than in-person speeches as in the past. Commission members noted the variety of entities represented in the speech statistics from last year.

Ms. Willeke thanked Nick Rohrbaugh, Chris Woeste, and Paul Nick for their help in overhauling all online Commission fact sheets which were designed to be easy to use, understandable, and consistent in look and format. She also commended her staff, Nick Rohrbaugh, for his design of the new e-course that walks a learner through the Ohio Ethics Law by “journeying” through the website. Learners will see fact sheets, advisory opinions, and other resources while learning an overview of the law.

Projects underway already in 2025 include the first quarter newsletter and the 2024 online annual report.

FINANCIAL DISCLOSURE STATISTICS REPORT/COMPLAINT REPORT

Mr. Ring informed the Commission that the 2024 financial disclosure form was made available for filing electronically and for downloading through the website on January 2, 2025. He noted that nearly 1,500 filers had already filed their statements for 2024. He expects this trend to continue of approximately 15 percent of filers completing their forms within the first three weeks of the new year.

He emphasized that the while the report indicates that there are only 8,600 individuals currently required to file a calendar year 2024 statement, that the number of filers should be closer to 10,000 by fall of this year once candidates in this year's elections are identified and added.

Ms. Bruns updated the commission on the complaints that have been referred for prosecution and are pending in warrant status. She noted that filers who are not in compliance often reach out to her when they cannot renew a driver's license or their car tags. She also reported that she was filing 25 new complaints today. Hearings will likely occur in early April, and she asked for Commission members to let her know if they would like to volunteer to be the hearing officer.

MOTIONS

Late Fee Waivers:

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

Complaints to be Dismissed:

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

Complaint Approvals:

MOTION by Mr. Vander Laan, seconded by Ms. Ross-Dolen, to approve filing the financial disclosure complaints against the individuals listed in the packet report for knowingly failing to timely file their required financial disclosure statements. The motion passed unanimously.

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. The motion passed unanimously.

DATE OF FUTURE MEETINGS

The Commission scheduled its two next meetings: Thursday February 20, 2025, at 12 p.m. with the Investigative Committee meeting at 11 a.m. that same day; and Thursday, April 3, 2025, at 12 p.m. with the Investigative Committee meeting at 11 a.m. that same day.

The meeting was adjourned at 12:49 p.m.

These minutes are respectfully submitted by:

/s/ Paul M. Nick

Paul M. Nick
Executive Director