

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

Paul M. Nick
Executive Director



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OHIO ETHICS COMMISSION
MINUTES OF MEETING
APRIL 3, 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 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, Mr. Bailey, 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 and Financial Disclosure Administrator Brian Ring; HR & Fiscal Manager Alan Carlson; Investigative Attorney Molly Bruns; Investigative Assistant Shana Kaplan, and Assistant Attorney General Brittany Collins. Joining the meeting after Executive Session were Chief Advisory Attorney Christopher Woeste; Advisory Attorneys Katie Saks and Melissa Riggins, as well as Legal Extern Diana de los Santos Torres.

Commissioner Kelley was not in attendance with an excused absence.

EXECUTIVE SESSION

MOTION by Ms. Ross-Dolen, seconded by Ms. Tracy, 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 12:09 p.m.

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

PREVIOUS MEETING MINUTES

The Commission reviewed the draft minutes from the February 20, 2025, Commission meeting.

MOTION by Mr. Vander Laan, seconded by Ms. Tracy, the Commission approve the minutes of the February 20, 2025, Commission meeting. Ms. Ross-Dolen, Ms. Tracy, Mr. Vander Laan, and Mr. Brachman voted yes. Mr. Bailey abstained. The motion was approved.

ADVISORY OPINIONS AND STATISTICS

Mr. Woeste introduced the Advisory Statistics and Activity Report, noting that twenty-five opinions were released including Formal Advisory Opinion No. 2025-01.

Mr. Brachman asked for clarification on the guidance given in the Staff Opinion issued to Kimberly C. Anderson, and Ms. Riggins clarified that the answer to the first question was permissive but conditional.

Mr. Bailey asked if the Staff Opinion issued to Tim Moloney was inconsistent with Commission precedent, and Mr. Woeste explained that the requester's son wanted to work for an agency vendor, not the agency itself, which would have resulted in a different answer.

Mr. Brachman asked about the tax benefit guidance in the Staff Opinion issued to Brandon Gobrecht, and Mr. Nick explained the prohibition was consistent with a recent Commission advisory opinion.

EXECUTIVE DIRECTOR'S REPORT

Mr. Nick reviewed the information in the packet including budget information, noting that the legislature did not grant increases in either GRF funding or filing fees.

Mr. Nick also summarized the new process for requiring early financial disclosures by potential PUCO appointees. The Chairman noted that PUCO has broader authority than regulating electricity and as a result, commissioners have a myriad of opportunities for conflicts of interest. He opined that it would be beneficial for staff to review other boards and commissions that may have the potential for conflicts for members, especially as they pertain to personal financial holdings. He wondered if a similar FDS procedure for potential appointees would discourage violations.

Mr. Nick noted that, in the Ohio Revised Code, de minimis stockholdings are exempted from the conflict of interest prohibitions. Mr. Woeste pointed out that the FDS statement requires disclosure for anything more than \$1,000 though does not require specific dollar amounts. Mr. Ring suggested that filers could be required to disclose investment holdings by dollar ranges for more specificity in filings.

Ms. Ross-Dolen observed that the Nominating Council's new early disclosure process has brought awareness to stocks and holding limitations which may dissuade future violations at other boards, as well.

Mr. Brachman suggested that he and the Executive Director discuss this topic further and asked commission members to reach out to Mr. Nick with any thoughts or suggestions in the meantime. He indicated that the focus should be on other boards or commissions where appointed members may own stock in companies they regulate, which could pose a potential conflict of interest for them.

LEGISLATION UPDATE

Mr. Hood highlighted HB 113, which would expand the number of financial disclosure filers, including city managers and village administrators. Mr. Nick noted that if this bill were to pass, it could mean an increase of approximately \$55,000 in filing fees for the Commission. Mr. Hood also highlighted SB 99, which would change the PUCO appointment process, though currently does not seem to directly impact the Commission.

PUBLIC EDUCATION AND INFORMATION

Ms. Willeke reviewed the information in the packet, particularly updates to the Commission's website and other resources to include "domestic partners" in the definition of "family." She reported that all fact sheets, e-courses, and recorded on-demand webinars have been updated. Training staff will collaborate with the Advisory staff to update opinion cover sheets as many of our fact sheets reference advisory opinions that include previous definitions of "family." Mr. Bailey asked if staff has received much feedback on the communication outreach regarding the updated definition. Ms. Willeke noted that most feedback has been inquiries on whether significant violations were the impetus for the opinion.

Mr. Brachman asked about interaction with elected coroners in Ohio and Ms. Willeke responded that she has spoken numerous times at the Ohio Coroners Association conference and will do so again this May. The Chairman also asked about resources specific to those officials and Ms. Willeke agreed that such an effort is consistent with staff efforts the past few years to create more customized information for specific groups or professions.

FINANCIAL DISCLOSURE STATISTICS REPORT/COMPLAINT REPORT

Mr. Ring informed the Commission that the deadline for primary candidates is April 7, 2025, and that staff is expecting another 150 forms to be filed before then. He noted that the general deadline is in another six weeks and staff will be sending reminders. He noted that the deadline for most candidates is 30 days before the election, but that write-in candidates must file 20 days before the election.

FINANCIAL DISCLOSURE STATISTICS REPORT/COMPLAINT REPORT

Ms. Bruns informed the Commission that there are FDS Hearings scheduled for April 17, 2025, and was thankful Ms. Tracy volunteered to be the hearing examiner. Ms. Bruns anticipates that at the next meeting there will be recommendations to refer FDS filers who have not complied with their filing requirements to the Columbus City Attorney's office for the filing of criminal charges.

MOTIONS

Late Fee Waivers:

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

R.C. 102.07

MOTION by Mr. Vander Laan, seconded by Mr. Bailey, to authorize staff to release the confidential financial disclosure statements filed by the person listed in the report to the Warren County Prosecutor. The motion passed unanimously.

DATE OF FUTURE MEETINGS

The Commission scheduled its next meeting: Friday May 9, 2025, at 11 a.m.

The meeting was adjourned at 1:22 p.m.

These minutes are respectfully submitted by:

/s/ Paul M. Nick

Paul M. Nick
Executive Director