

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
MAY 9, 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 11:05 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, 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 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, and Advisory Attorney Katie Saks.

EXECUTIVE SESSION

MOTION by Mr. Vander Laan, seconded by Ms. Kelley, 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 11:06 a.m.

The Commission returned to open session at 12:06 p.m.

PREVIOUS MEETING MINUTES

The Commission reviewed the draft minutes from the April 3, 2025, Commission meeting.

MOTION by Mr. Vander Laan, seconded by Ms. Ross-Dolen, the Commission approve the minutes of the April 3, 2025, Commission meeting. Mr. Bailey, 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 Report. Mr. Woeste noted that the Staff Opinions issued to Lathan Lipperman and Sergeant Don Olson were reviewed by the Advisory Committee before they were issued to the requesters.

Mr. Brachman asked if the Commission has addressed an issue similar to the Staff Opinion issued to Lara Baker-Morrish. Mr. Woeste responded that there was a related matter that was reviewed with the Advisory Committee a few months ago. Mr. Bailey noted that he communicated with Mr. Woeste about the Staff Opinion issued to Ms. Baker-Morrish.

Mr. Woeste provided background on the matter and an overview of the Commission's precedents. Mr. Woeste also explained that Mr. Bailey had expressed concern that a person is considered a business associate when he or she is serving as adjunct faculty at a private university. Mr. Bailey noted his concerns about the distinction between private and public universities in the Commission's precedents. He also had concerns with the conclusion in the Staff Opinion issued to Baker-Morrish regarding the assistant city attorneys being business associates of the university.

Mr. Nick noted the distinction between being employed by a university as faculty versus speaking at a class, observing that an employee of the university would have more potential conflicts of interest than would a guest speaker. Mr. Brachman asked if the Staff Opinion issued to Ms. Baker-Morrish applies to these specific individuals in the opinion, and Mr. Woeste confirmed that it did. Mr. Brachman suggested that the Advisory Committee could take a broader look at the issue. Mr. Bailey responded that he agreed to leave the Staff Opinion issued to Ms. Baker-Morrish in place for now.

Mr. Brachman asked about the Staff Opinions issued to Larry Sheakley and Sonali Wilson and the application of the public contract law exception. Mr. Woeste explained that staff closely examined the exception, and these requests were submitted through, or written by, legal counsel.

EXECUTIVE DIRECTOR'S REPORT

Mr. Nick reviewed the information in the packet regarding the budget and noted that current proposed funding allows the Commission to maintain current staffing, but not backfill a second financial disclosure section staff member. He reported that should an Ethics Law reform bill be introduced that would add new administrative responsibilities for the Commission, such as posting disclosure statements online, then a request for additional funding would be appropriate.

Mr. Nick also discussed expanding financial disclosure requirements under the Commission's rulemaking authority. He stated that staff is researching the possibility of requiring elected township trustees and fiscal officers, as well as school officials from the approximately 370 community schools in Ohio. Mr. Brachman noted that community schools should be given notice of potential filing requirements well before the

beginning of the school year and inquired if the Commission would establish the filing fee. Mr. Nick responded that the filing fee would be set by statute at \$60.

Mr. Brachman also asked about proposed language to eliminate elected county coroners who would instead be appointed by county officials. Mr. Nick confirmed that such language is still pending in the budget bill and pointed out that if the language became law, county coroners would still be subject to the Ethics Law.

Mr. Nick reported to the Commission that the State Teachers Retirement System (STRS) has narrowed its search for an executive director to two candidates. The Chairman suggested that the Commission request that the STRS board require these candidates to submit financial disclosure statements to the Commission prior to the STRS board taking any final action, to review for potential conflicts of interest. Mr. Nick added that this is the same process that the Commission utilized with the Public Utilities Commission of Ohio's Nominating Council.

LEGISLATION UPDATE

Mr. Hood stated that, other than the budget bill, there has been little movement on the bills the Commission is monitoring. In particular, he will keep the Commission updated if HB 113 makes progress through the legislature.

PUBLIC EDUCATION AND INFORMATION

Ms. Willeke updated the Commission on her recent speech to the Ohio State Coroners Association (OSCA) which went well but may have revealed a misperception that coroners are permitted to hire their spouses to work in their offices. Mr. Woeste and Mr. Hood have both reviewed the statute that regulates coroners and concluded that no such exception to hiring family into public service exists. Ms. Willeke will follow up with the OSCA Executive Director to attempt to determine if this is a common misperception among coroners or a limited misunderstanding.

Ms. Willeke also reported that the recent newsletter included information regarding summer hires in public service and that the article included an example of school board members voting on stipends used to pay relatives serving at summer schools and camps.

Finally, she highlighted from her report a staff project to begin an Ohio Ethics Commission podcast. The goal is to familiarize public employees and officials with the law, the Commission, and the cornucopia of information and guidance available from the Commission website. Mr. Nick complemented Ms. Willeke and Mr. Rohrbaugh on their creativity in finding new ways to educate people on the Ethics Law.

FINANCIAL DISCLOSURE STATISTICS REPORT/COMPLAINT REPORT

Mr. Ring reminded Commission members to file their financial disclosure statements by May 15, 2025. He reported that 2,000 filers had not yet filed as of the Commission meeting, but that he expects at least 1,700 to be filed in the next several days.

Ms. Bruns updated the Commission on recent FDS hearings and reported that additional hearings will be scheduled in August and requested any Commission members to contact her to serve as hearing officers.

MOTIONS

Late Fee Waivers:

MOTION by Ms. Kelley, 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.

Complaints to be Dismissed:

MOTION by Ms. Ross-Dolen, 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.

Complaints to be Referred for Prosecution:

MOTION by Mr. Bailey, seconded by Ms. Kelley, to adopt the recommendations of the hearing examiner and refer to the Columbus City Attorney's Office the financial disclosure complaints filed against the individuals listed in the packet report, for good cause shown. The motion passed unanimously.

Referrals to Ohio Attorney General's Office for Collections:

MOTION by Mr. Vander Laan, seconded by Ms. Tracy, 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 next meeting: Thursday, June 12, 2025 at noon.

The meeting was adjourned at 12:53 p.m.

These minutes are respectfully submitted by:

/s/ Paul M. Nick

Paul M. Nick
Executive Director