

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
William Green Building
30 West Spring Street, L3
Columbus, Ohio 43215-2256
Telephone: (614) 466-7090
Fax: (614) 466-8368

Paul M. Nick
Executive Director

www.ethics.ohio.gov

OHIO ETHICS COMMISSION
MINUTES OF MEETING
AUGUST 4, 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 12:13 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. Mr. Bailey was absent for the roll call. 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; Chief Advisory Attorney Chris Woeste; Investigative Attorney Molly Bruns; Special Investigator Phil Langston; Investigative Assistant Shana Kaplan, and Assistant Attorney General Brittany Collins. Joining the meeting after Executive Session were Advisory Attorneys Katie Saks and Melissa Riggins.

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 12:14 p.m. Mr. Bailey joined the meeting at 12:18 p.m.

The Commission returned to open session at 1:07 p.m.

PREVIOUS MEETING MINUTES

The Advisory Committee members reviewed the draft minutes from the June 12, 2025, Advisory Committee meeting.

MOTION by Ms. Ross-Dolen, seconded by Ms. Kelley, that the Advisory Committee approve the minutes of the June 12, 2025, Advisory Committee meeting. Mr. Bailey, Ms. Kelley, and Ms. Ross-Dolen voted yes. The motion was approved.

The Commission reviewed the draft minutes from the June 12, 2025, Commission meeting. Ms. Ross-Dolen noted a typo which Mr. Nick stated would be corrected.

MOTION by Mr. Vander Laan, seconded by Ms. Kelley, that the Commission approve the minutes, as amended, of the June 12, 2025, Commission meeting. 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. Nick introduced the Advisory Statistics and Activity Report. Mr. Woeste highlighted the Staff Opinion issued to Danielle M. Parker. He noted that staff issued a guidance letter due to pending legislation involved in the request.

Mr. Brachman asked who appoints members to the Transportation Review Advisory Council regarding the Staff Opinion issued to Stefan C. Spinosa. Ms. Riggins explained that the Governor, the speaker of the Ohio House of Representatives, and the president of the Ohio Senate each appoint the members.

Mr. Brachman asked Ms. Saks about whether the Staff Opinion issued to Janelle Teeters Mead was distributed to members of the Ohio Federation of Soil and Water Conservation Districts. Ms. Saks noted that copies were sent to relevant legal counsel.

Mr. Brachman asked about the Staff Opinion issued to David DeChristofaro and whether the county could pay for the transportation to the meeting. Ms. Saks responded that this may be a question to be addressed by the Auditor of State.

Mr. Nick introduced the Memorandum on the Financial Disclosure Filing Requirement for the Ohio River Commission. Mr. Woeste explained that staff recommends that the members should be required to file financial disclosure statements within 90 days after appointment or within 90 days of the Commission's decision for those members already appointed. Mr. Brachman suggested sending a copy of this memorandum to the Chief Counsel for the Auditor of State's Office.

MOTION by Mr. Vander Laan, seconded by Ms. Kelley, that members of the Ohio River Commission be required to file annual financial disclosure statements with the Ethics Commission. The motion passed unanimously.

Mr. Nick introduced the Draft Formal Opinion on Frequent Flyer Miles and Rewards Points. Mr. Woeste explained that the new standard in the draft opinion is that reward points and miles can be used for personal use so long as they are earned in the same manner as the public, and they do not impose additional costs to the agency. This standard matches the federal rule. Mr. Woeste noted that he received feedback on the draft from multiple sources across the state. Ms. Ross-Dolen asked about the nature of the feedback, and Mr. Woeste responded that the feedback was positive. Mr. Nick added that he spoke with his counterpart at

JLEC and counsel at the Auditor of State's Office and they did not have any concerns with this new standard. Mr. Bailey noted his approval that the Commission sought input on the draft opinion and encouraged staff to always seek such input, especially for formal opinions.

MOTION by Ms. Kelley, seconded by Ms. Tracy, to adopt Formal Advisory Opinion 2025 – 02. The motion passed unanimously.

Mr. Nick introduced the Memorandum on Community Schools Financial Disclosure Requirements. Mr. Woeste stated that the question is whether the Commission has the authority to require community school governing boards, operators, and sponsors to file financial disclosure statements. Mr. Woeste stated that staff recommends that the Commission has clear authority to require community school governing board members to file financial disclosure statements. However, Mr. Woeste stated that staff does not have a recommendation on whether operators and sponsors could be required to file financial disclosure statements. Mr. Woeste also noted that staff consulted with the Department of Education and Workforce. Mr. Brachman asked who would file, and Mr. Woeste replied that the members of the community school governing boards and possibly also employees including the fiscal officer and superintendent. Mr. Brachman inquired as to how long community schools have operated in Ohio, and Mr. Woeste explained that the schools have been in Ohio for a while. Mr. Nick also noted recent news articles about misappropriation of funds at a school in Hamilton County.

Mr. Vander Laan moved that the Commission request an opinion from the Ohio Attorney General on whether an operator or sponsor of a community school fits the definition of public agency or official under the Ohio Revised Code. The Commission discussed the motion. Ms. Ross-Dolen asked if the Commission seeks the Attorney General's input, does that take away the Commission's authority to require operators or sponsors to file. Mr. Nick stated that he believed the Commission could use an opinion from the Attorney General to help the Commission decide whether they should be required to file disclosure statements. Mr. Hood asked if the Commission wants to decide themselves whether these entities are public agencies. Mr. Vander Laan explained that if the Attorney General concludes they are not state actors under the law, then that would pose a problem for requiring them to file. Mr. Nick noted that the Attorney General recently issued an opinion to the Auditor of State noting that governing authority boards are public agencies, but the opinion did not address sponsors and operators.

MOTION by Mr. Vander Laan, seconded by Mr. Bailey, to request an opinion from the Ohio Attorney General on whether community school operators and sponsors are public officials or agencies under the Ohio Revised Code. The motion passed unanimously.

Mr. Nick stated that he would author a request letter and asked if Mr. Vander Laan or any other commissioner wanted to review a draft. Mr. Vander Laan stated that he did not need to review a draft.

EXECUTIVE DIRECTOR'S REPORT

Mr. Nick reviewed the information in the packet, including details about a speech he was invited to give to attendees at a workshop sponsored by the Southern Office of the Council of State Governments. The audience is the chiefs of staff to the Governors and Lieutenant Governors of the fifteen southern states. The transportation will be at no cost to the Commission. He also updated the Commission on an issue at the

office building and a meeting that he and the Chairman had with some senior staff at the House of Representatives.

LEGISLATION UPDATE

Mr. Hood reported on the passage of the budget bill and noted he is watching H.B. 250 in case any amendments of interest are included. He also stated that he is researching issues with bitcoin and investments. Mr. Brachman inquired about H.B. 113; Mr. Hood replied that it may have been included in the budget bill, but he will check to confirm.

PUBLIC EDUCATION AND INFORMATION

Ms. Willeke referred to the packet report and added that the next newsletter will be issued in mid-September to coincide with the launch of the Commission's first new podcast. Mr. Brachman suggested that staff consider an article about financial disclosure for an upcoming newsletter.

FINANCIAL DISCLOSURE STATISTICS REPORT/COMPLAINT REPORT

Mr. Ring stated that the general election on November 4 is the next significant milestone and that the filing deadline for most candidates is October 6. The number of filers is relatively low now, but will increase in the next two months, with additional candidates declaring candidacy, and when new school district treasurers' and superintendents' contracts will be issued or renewed.

Ms. Bruns reported that she has five new arraignments on August 5 and nine hearings on August 21 which will clear the Commission's docket.

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 passed unanimously.

Complaints to be Dismissed:

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

MOTION by Mr. Vander Laan, seconded by Ms. Tracy to dismiss Complaint No. 25-C-0716-001, because it fails to demonstrate reasonable cause to believe that the facts constitute a violation of Chapter 102, R.C. 2921.42 or R.C. 2921.43, and the Commission lacks jurisdiction to investigate the other violations alleged in the complaint. The motion passed unanimously. The Commission further directed the General Counsel to refer this matter to the appropriate prosecuting authority and recommend that they review the complaint.

Referrals to Ohio Attorney General's Office for Collections:

MOTION by Ms. Kelley, seconded by Ms. Ross-Dolen, 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: Friday, September 12, 2025, at noon.

The meeting was adjourned at 2:12 p.m.

These minutes are respectfully submitted by:

/s/ Paul M. Nick

Paul M. Nick
Executive Director