

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



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Paul M. Nick
Executive Director

OHIO ETHICS COMMISSION
MINUTES OF MEETING
JANUARY 22, 2026

MEMBERS OF THE COMMISSION

Merom Brachman	Megan C. Kelley	Elizabeth E. Tracy
Mary M. Ross-Dolen	Christian H. Stickan	Mark A. Vander Laan

CALL TO ORDER

The meeting of the Ohio Ethics Commission was called to order at 12:00 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, Mr. Stickan, 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; Chief Advisory Attorney Chris Woeste; Investigative Attorney Molly Bruns; Advisory Attorneys Melissa Riggins and Tim Gates; Technology Based Trainer Nick Rohrbaugh, Investigative Assistant Shana Kaplan, and Assistant Attorney General Brittany Collins. Also in attendance were over 20 visitors.

COMMUNITY SCHOOL RESOLUTION

Following the roll call, Chairman Brachman read into the record the following comments regarding the Commission vote on December 3, 2025 to require financial disclosure filings by persons serving on the governing authority boards for community schools, pursuant to Ohio Administrative Code Section 102-5-05(A):

- 1) Regarding our resolution of 12/3/25 on Financial Disclosures for charter or community school boards, and unrelated to the Commission's other ongoing processes for reviews under our confidential procedures on proper usage of funds by officials, the topic warrants at this time setting aside implementation of that requirement.
- 2) As well noted in attention given to any situations about management of those school entities, and the steady growth in Ohio public funds used in their operation (next year nearly \$1.4 billion), the overall programs of State education policy are prescribed separately from any duties for related Ethics Law and our work.

- 3) In that work, the Commission aims to provide useful identity for following the Law, to assure propriety relating to public confidence that various public authorities and related management will comply as expected, helping to avoid even personal errors that can occur in exercising full-fledged public responsibilities.
- 4) In assessing outreach, and the attentive full oversight applied by the Auditor of State's office on specific matters and expenditures (shared regularly with the Commission), our staff has not developed new details of overall management and boards to fit coverage for the data annually reviewed for other sectors of government, including some levels of public school enrollment with elected boards of education.
- 5) Also, reference inputs in our Meetings last fall, now the Commission has this month received guidance earlier requested from the Attorney General's office that confirms the Commission would not currently consider procedures for designated management done by "Sponsors" who are assigned to expend public funds often utilized differently by the approximately 347 boards in the charter or community school category.

Mr. Brachman further stated that, with these pertinent factors, and with regard for concerns reflected among General Assembly leadership, it is our view that proceeding with the intent to use Ohio financial disclosure by all the boards is best put aside, while having available the normal regular reviews as previously done with any individual issues that may arise.

He then recognized the Honorable Speaker of the Ohio House of Representatives, Matt Huffman, whose office that morning had contacted Mr. Nick and indicated that the Speaker wanted to address the Commission. Speaker Huffman asked that, if the commission revisits the issue, then community boards and legislators should be given the opportunity to testify and provide further public input. He also expressed legislative concern regarding the application of the Ethics Law to selective boards with delegated authority.

The Chairman opened the floor for other comments. No other visitors addressed the Commission. The Commission then proceeded with its regular agenda.

ELECTION OF OFFICERS

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

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

PREVIOUS MEETING MINUTES

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

MOTION by Mr. Vander Laan, seconded by Ms. Kelley, that the Commission approve the minutes of the December 3, 2025, Commission meeting. The motion passed unanimously.

ADVISORY OPINIONS AND STATISTICS

Mr. Nick introduced the advisory and investigative annual reports for calendar year 2025.

Mr. Woeste reviewed the advisory section's annual report. He stated that 194 advisory opinions were issued, including two formal opinions. He also stated that he was happy with the response time and detailed guidance provided in the opinions. He also provided the statistics on phone calls and emails. He thanked the other advisory attorneys for their hard work throughout the busy year.

Mr. Hood reviewed the investigative section's report. He reported that the section had nearly 1,100 contacts in the past year, primarily with local governmental entities. He pointed out that the topics under investigation were fairly consistent from previous years as were the number of cases investigated; in 2025, 72 cases investigated, with 85 cases closed. The report also noted the breakdown of investigative resolution conclusions, including the Notice of Potential Violation (NPV), which was introduced in early 2024 and is working well.

Mr. Hood also reported that on average, NPV cases were closed within 60 days, which allows investigative staff to focus on more serious allegations. He commended Molly Bruns and the financial disclosure staff for their work on enforcement cases. Mr. Hood also pointed out that 22 public settlement agreements were issued in 2025 though such cases are not always opened and closed in the same calendar year.

Finally, Mr. Hood stated – in terms of financial disclosure – there are very few complaints in comparison to the number of required filers (more than 10,000). Mr. Ring explained this is due to a very proactive process where staff reaches out to late filers and can usually resolve cases before complaints are filed.

Mr. Nick introduced the advisory opinion report.

Mr. Woeste highlighted the staff advisory opinion issued to legal counsel for the Blanchard City School District. He indicated that the opinion request was a follow-up to a previously issued staff advisory opinion and addressed the district's additional questions. Mr. Brachman asked if the staff receives many questions pertaining to dual service and referenced the staff advisory opinion issued to the Hamilton County Treasurer. Mr. Woeste responded that staff receives many questions on dual service and outside employment.

Next, Mr. Nick introduced a draft formal advisory opinion regarding soliciting and accepting legal defense funds for a civil lawsuit. Mr. Woeste summarized the opinion, noting a previously issued 2006 formal advisory opinion by the Commission that addressed legal defense funds for criminal matters. Mr. Woeste stated that the draft applied the same restrictions from the 2006 advisory opinion to civil matters. Mr. Woeste noted that the draft also addressed a public official or employee using his or her title when soliciting legal defense funds and incorporated similar restrictions to those imposed by the federal government. He discussed the six examples in the draft including one referencing state retirement system board members soliciting or receiving donations from collaborative organizations. Mr. Woeste noted that staff would revise the draft to address some minor typographical errors in the endnotes.

MOTION by Ms. Kelley, seconded by Ms. Tracy, that the Commission approve the draft formal advisory opinions. The motion passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Mr. Nick discussed the Commission's process, instituted last year, to review the financial disclosure statements filed early by applicants for a position on the Public Utilities Commission of Ohio board. (PUCO). He summarized the review of each of the eight statements filed by applicants and did not note any disqualifying conflicts of interest. Mr. Nick noted that this review allows candidates to be aware and avoid acting on any of their potential conflicts. He further stated that this review is provided to the PUCO Nominating Council and copied to PUCO. He pointed out that this process was also used last year by the State Teachers Retirement System board (STRS) when that board was reviewing candidates for Executive Director.

Mr. Nick then reviewed a summary of the events following the Commission's determination at its December 3, 2025 meeting that the members of the governing authority boards of community schools should file disclosure statements. Mr. Brachman added that after receiving additional inputs following the meeting, he and the vice chairman decided to pause the requirement for 45 days and instructed staff to issue a revised bulletin. Mr. Nick and Mr. Brachman summarized several meetings with chairs of the House and Senate Education Committees as well as various lobbyists and attorneys and inputs by the Auditor of State. They also discussed correspondence received from the Speaker of the House and Senate President and their responses to this correspondence.

Mr. Nick outlined three options for the Commission:

1. Keep the current determination in place, which would require community school governing authority board members to file disclosure statements on May 15, 2026, should they decide to remain on their respective boards after February 15, 2026;
2. Set aside the resolution to allow for additional feedback and input; and
3. Rescind the resolution with no further action.

A discussion was held by the Commissioners. Mr. Vander Laan stated that filing financial disclosures is not a punishment but rather a requirement in the Ohio Ethics Law as approved by the Ohio legislature. Ms. Kelley added that the Commission's discussions about this matter all occurred during public meetings. Mr. Nick noted that any community school governing authority board filings would be at the lowest level of disclosure as required by law, which is the same level of disclosure as those who file with public boards of education or educational service centers. Ms. Ross-Dolen inquired if such forms would be confidential if the members were uncompensated. Mr. Nick explained that they would not be confidential as that exception applies only to uncompensated members of state boards or commissions. Mr. Brachman noted that the Commission was primarily discussing compensated members and that many members serve voluntarily. Mr. Woeste reported that roughly 60 percent of governing authority board members in Ohio are compensated, but that the statute limits compensation to \$5,000 annually.

MOTION by Mr. Vander Laan, seconded by Mr. Stickan, that the Commission stay indefinitely all application of its prior decision. The motion passed unanimously.

LEGISLATION UPDATE

Mr. Hood reviewed the legislative report in the packet and noted no new action on the tracked bills but welcomed any questions from the commission before the next commission meeting.

PUBLIC EDUCATION AND INFORMATION

Ms. Willeke reviewed the calendar year 2025 statistics as shown in the packet noting that the reduction of in-person speeches is due to the popularity of the commission's online course with more than 71,000 learners using the e-course last year. She observed that requests for speeches at conferences remain strong, but data indicates more and more public agencies are relying on online learning to obtain training on the Ethics Law.

She noted the normal projects in 2025 (annual report, webinars, e-courses, newsletters, fact sheets, etc.) but expressed excitement about the new commission podcast. The podcast will continue to be highlighted in the newsletter and even in the 2026 e-course available on the commission's website.

Ms. Kelley commended the training staff that after taking all available classes – a CLE, the e-course, and two different types of webinars (intro and advanced) – she was pleased that each offering was unique with different stories and highlights. Ms. Willeke thanked Nick Rohrbaugh for his hard work and creativity in 2025 and invited the commission to view the 2026 e-course which Mr. Rohrbaugh created in-house.

FINANCIAL DISCLOSURE STATISTICS REPORT/COMPLAINT REPORT

Mr. Ring reviewed the material in the packet, noting that projects are on track for this year and that the current numbers of non-filers will dramatically decrease over the next two months. He reported that the 2025 FDS form was available on the commission's website on January 2, 2026, and that more than 1,600 filers have already submitted their forms this year.

He further updated the Commission on the status of efforts to provide the Attorney General's Office with social security numbers for individuals the Commission has forwarded to them for collection action. Mr. Ring stated staff has provided social security numbers for all of the matters forwarded over the past three years and is now pursuing the previous years. Mr. Ring noted that one of the advantages of providing social security numbers to the Attorney General's Office is that it can allow them to withhold outstanding fees from a filers' tax refunds, casino winnings, and lottery winnings, thereby allowing more avenues for the commission to collect on late fees.

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, Mr. Stickan, 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 1:28 p.m.

The Commission returned to open session at 2:22 p.m.

MOTIONS

Late Fee Waivers:

MOTION by Mr. Vander Laan, seconded by Ms. Ross-Dolen, 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. Kelley, 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.

Complaint Approvals:

MOTION by Ms. Ross-Dolen, seconded by Ms. Tracy, to authorize staff to file the financial disclosure complaints against the individuals listed in the packet report for knowingly failing to timely file their required financial disclosure statements. Mr. Stickan abstained. The motion passed.

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. Stickan abstained. The motion passed.

Complaint Dismissal:

MOTION by Mr. Vander Laan seconded by Mr. Stickan, to dismiss Complaint No. 26-C-0013-01 because there is no reasonable cause to believe that the facts alleged in the complaint constitute a violation of Chapter 102 or Section 2921.42 of the Revised Code. The motion passed unanimously.

DATE OF FUTURE MEETINGS

The Commission scheduled its next meeting for Wednesday, March 11, 2026, at noon, with the Investigative Committee meeting at 11 a.m.

The meeting was adjourned at 2:27 p.m.

These minutes are respectfully submitted by:

/s/ Paul M. Nick

Paul M. Nick
Executive Director