

Merom Brachman, *Chairman*  
Megan C. Kelley, *Vice Chair*  
Bruce E. Bailey  
Julie A. Rutter  
Elizabeth E. Tracy  
Mark A. Vander Laan



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](http://www.ethics.ohio.gov)

---

## Advisory Committee Minutes

Friday, September 17, 2021

Present:

Megan Kelley, Julie Rutter, Commission Members

Paul M. Nick, Executive Director  
Jed Hood, Deputy Director/General Counsel  
Christopher Woeste, Advisory Attorney

The meeting began at 12:05 p.m. at the William H. Green Building, Level 2 Room 2, 30 West Spring Street, Columbus, Ohio 43215.

Mr. Nick noted that Mr. Bailey had contacted him in the morning and stated he was unable to attend the meeting due to illness.

Mr. Nick began the meeting by providing a staffing update, noting that Kristin Cly has accepted an offer to work for the Commission as an Advisory Attorney and will begin on September 27. Mr. Nick complemented the work of Mr. Woeste who has rapidly learned the Commission's precedents and has drafted almost all of the written opinions received by the Commission in the past month.

Mr. Nick briefed the Committee on two staff opinions concerning state and county central committee members and a matter at The Ohio State University.

Mr. Nick then introduced the draft of proposed Formal Opinion No. 2021-02. Ms. Rutter asked how the opinion came about, and Mr. Hood explained the question that prompted staff to review whether it was a potential violation of the Ethics law for a member of city council to vote for himself or herself to be the presiding officer.

Mr. Nick then summarized the conclusions and rationale for the opinion. He noted that staff has been discussing this question for many months and that the Commission has never opined on this particular question in any of its formal precedents. Former Chief Advisory Attorney Karen King had prepared two drafts, and the draft before the committee was the product of staff further researching precedents and examining whether voting for oneself to be a presiding officer is a matter that could have a substantial and improper influence upon that official in the performance of his or her official duties.

Ms. Rutter and Ms. Kelley both agreed with the conclusion and commented that they liked the style and directness of the draft. Mr. Rutter asked if the sentence comparing voting to fill a vacancy was confusing and should be struck from the draft. She added that there is a significant difference between a public official receiving a pay increase for doing the same work and receiving payment for taking on new or additional duties.

Mr. Bailey had submitted several thoughts and suggestions by email just prior to the meeting. The Committee and staff reviewed and discussed several of these points.

The Committee recommended that staff make some edits to the draft and then submit it to the Commission for consideration at its meeting on September 30, 2021.

The meeting was adjourned at 12:45 p.m.

These minutes were prepared by Executive Director Paul M. Nick.