

Merom Brachman, *Chairman*
Mark A. Vander Laan, *Vice Chairman*
Megan C. Kelley
Mary M. Ross-Dolen
Jennifer L. Sheets
Christian H. Stickan



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

ADVISORY COMMITTEE
MINUTES OF MEETING
April 13, 2026

Present: Commissioners Megan Kelley, Mary Ross-Dolen and Jennifer Sheets

Executive Director Paul Nick
Deputy Director/General Counsel Jed Hood
Chief Advisory Attorney Chris Woeste
Advisory Attorney Tim Gates

Jill Schiller, Hamilton County Treasurer
Kevin Futryk, Executive Director of the County Treasurer's Association of Ohio
R.J. Mancini, State Lobbyist for County Treasurer's Association of Ohio

Mr. Nick called the meeting to order at 11:04 a.m.

Mr. Nick introduced the request for reconsideration that Treasurer Schiller submitted to the Ohio Ethics Commission. Mr. Nick noted that the Commission discussed the request during its Commission meeting on March 11, 2026, and voted to take the request under advisement. The Chairman directed that the Commission's Advisory Committee meet to discuss the relevant issues prior to the next Commission meeting on April 29.

Mr. Hood discussed a Memorandum that he prepared for the Commission members on Treasurer Schiller's reconsideration request. Mr. Hood summarized the prior advisory opinion that was provided to Treasurer Schiller and the public contract and conflict of interest restrictions described in that opinion. Mr. Hood stated that the public contract restrictions would prohibit Treasurer Schiller from accepting compensation from Hamilton County for providing mediation services unless she can meet a four-part exception. The conflict of interest restrictions would require Treasurer Schiller to withdraw from matters involving taxpayers who are the source of compensation for outside business or employment activities.

Mr. Hood summarized the Commission's precedents that deal with similar questions related to outside employment and business activities of high-ranking county officials including county commissioners, county auditors, county clerks of court, county engineers, and a county treasurer. He noted that the prior advisory opinion issued to a county treasurer in 2001 was an informal advisory opinion voted upon and approved by the Commission. He noted that, as stated in that advisory opinion, withdrawal requires that the matter be handled by someone who does not report to the county official on the matter

and who is independent of the county official. He also summarized formal Advisory Opinion No. 96-004, which is an opinion that addresses general restrictions on outside employment or business activity.

Mr. Hood also summarized a prior reconsideration request from two county auditors. In that situation, the Commission recognized that there was a statutory mechanism for a county auditor to withdraw from participating in certain specific matters, which caused a modification of the previously issued advisory opinion regarding a county auditor's ability to engage in outside employment or business activity.

Mr. Nick noted that in researching this issue, staff found that the General Assembly sets the compensation for county elected officeholders. In some instances, such as with county engineers and coroners, the statutes specifically address whether the office holders can choose to engage in private practice and serve part-time in their public roles. Ms. Ross-Dolen asked about the reason for a recent change in law staff identified regarding the ability of a county engineer to perform services in the official's own county. Mr. Woeste stated that it appeared the change was intended to make the statute consistent with the code of ethics that applies to licensed engineers.

Ms. Sheets asked Mr. Nick if it was appropriate to ask Treasurer Schiller to speak on the matter. Mr. Nick said that it was, and he invited Treasurer Schiller to address the Advisory Committee.

Treasurer Schiller stated that she did not have much else to add to the statements that she made to the Commission during the prior Commission meeting. Treasurer Schiller stated, particularly for small counties, it would cause hardship for a county treasurer not to be able to engage in outside employment or business activity.

Mr. Hood noted that he provided pay information for county treasurers in the Memorandum that he prepared for the Commission.

Mr. Nick asked Treasurer Schiller if she knew the reason for the lack of any statutory authority for a county treasurer to engage in outside employment in general, as exists with some other county officeholders. Both Treasurer Schiller and Mr. Futryk stated that they were not sure, but Mr. Futryk noted that it would be likely that a county official would have interactions with residents of the county and he expressed concern that the advisory opinion was overly broad.

Ms. Kelley asked about the impact of allowing a request for reconsideration on existing Commission precedent. Mr. Hood stated that the answer to that question would depend on what changes the Commission would make to the advisory opinion issued to Treasurer Schiller. He stated that in the past situation involving the county auditors, a letter was issued to the county auditors stating that another formal Commission opinion would apply. Mr. Nick noted that if the Commission allowed the reconsideration then it may have to overturn or modify Informal Opinion 2001-INF-0622 issued to another county treasurer in 2001.

Ms. Sheets asked if the Commission granted reconsideration, whether it would apply to all treasurers in the State, including smaller communities. Mr. Hood responded that it would.

Ms. Ross-Dolen asked Treasurer Schiller and Mr. Futryk whether other treasurers worked outside the county and what would prevent Treasurer Schiller from doing that. Treasurer Schiller responded that

her professional contacts are in the county, and she noted that it would be more difficult to work outside the county where she did not have those same connections.

Mr. Futryk discussed the differences between a county treasurer's interactions with the public versus a county auditor's interactions with the public. He noted that a county auditor has more interactions with the public than a county treasurer.

Ms. Sheets noted that she was not unsympathetic to Treasurer Schiller's position. Ms. Sheets stated that there is not a specific exception in the situation involving the county treasurer, whereas there is an exception for the county auditor. Treasurer Schiller noted that there was an exception for a county treasurer, but Ms. Sheets stated that she believed the exception only applied to matters related to the Board of Revision and not other potential conflicts of interest.

Mr. Hood stated that it might be a situation where the reconsideration could be granted in part, if there is a statutory mechanism for withdrawal. Ms. Sheets responded that Treasurer Schiller's request did not include a question regarding the Board of Revision situation.

Ms. Kelley stated that the remedy might be a legislative change that would allow for broader ability for a county treasurer to withdraw from matters. Mr. Nick noted that the General Assembly recently has been monitoring closely when boards and commissions appear to be performing legislative functions.

Ms. Ross-Dolen noted that she appreciated the type of work that Treasurer Schiller wanted to do. However, Ms. Ross-Dolen stated that the law was designed to avoid conflicts of interest, and she believed the risk for conflict of interest clearly existed in this case. Ms. Ross-Dolen stated that she would encourage Treasurer Schiller to consider practicing the outside activity outside of Hamilton County.

Ms. Sheets made a motion that the Advisory Committee recommend to the full Commission that the request for reconsideration be denied. Ms. Kelley seconded the motion. Hearing no further discussion, Mr. Nick called the roll. All members of the Advisory Committee voted "yes."

Mr. Nick told the meeting attendees that they were welcome to attend the next Commission meeting. Mr. Nick also invited them to provide any additional information that they might want the Commission to consider.

The meeting was adjourned at 11:59 a.m.

These Minutes were prepared by Chief Advisory Attorney Chris Woeste and reviewed by Executive Director Paul Nick. The Minutes were approved by the Commission during the Commission meeting on April 29, 2026.