

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



OHIO ETHICS COMMISSION  
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Paul M. Nick  
*Executive Director*

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OHIO ETHICS COMMISSION  
MINUTES OF MEETING  
JUNE 29, 2022

MEMBERS OF THE COMMISSION

Merom Brachman	Megan C. Kelley	Bruce E. Bailey
Elizabeth E. Tracy	Julie A. Rutter	Mark A. Vander Laan

CALL TO ORDER

The meeting of the Ohio Ethics Commission was called to order at 1:32 p.m. in Room 1 on Level 2 of the William Green Building, at 30 West Spring Street, in Columbus, Ohio. The meeting also included teleconference availability as authorized by Sub. HB 51.

ROLL CALL

The following Commission Members were present in person: Mr. Brachman, Ms. Rutter, and Ms. Tracy. The following Commission Members were present on the teleconference call: Mr. Bailey, Ms. Kelley, and Mr. Vander Laan. Staff present in person: Executive Director Paul M. Nick, IT & FD Administrator Brian Ring, Deputy Director/General Counsel Jed Hood, HR & Fiscal Manager Alan Carlson, Education and Communication Administrator Susan Willeke, and Investigative Attorneys Molly Bruns and Nicole Candelora-Norman.

EXECUTIVE SESSION

MOTION by Ms. Rutter, 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. Mr. Bailey, Ms. Kelley, Ms. Rutter, Ms. Tracy, Mr. Vander Laan, and Mr. Brachman voted “yes.” The motion was approved, and the Commission, pursuant to Section 102.06 of the Revised Code, went into Executive Session at 1:33 p.m.

The Commission returned to open session at 2:03 p.m. Joining the meeting in Room 1 Level 2 were Advisory Attorneys Chris Woeste and Kristin Cly and Assistant Attorney General Hilary Damaser.

PREVIOUS MEETING MINUTES

The Commission reviewed the draft minutes from the May 20, 2022, Commission meeting.

MOTION by Ms. Rutter, seconded by Ms. Tracy, that the Commission approve the minutes of the May 20, 2022, Commission meeting. Mr. Bailey, Ms. Kelley, Ms. Rutter, Ms. Tracy, Mr. Vander Laan, and Mr. Brachman voted “yes.” The motion was approved.

### ADVISORY OPINIONS AND STATISTICS

Mr. Nick reviewed the advisory section statistics and noted that the Commission has issued 109 opinions at the mid-year mark. Mr. Nick noted that this was a 27% increase from last year and 12% above the average for the last decade and that Advisory staff closed 25 written advisory opinion requests in the last 25 business days.

Mr. Nick updated the Commission on the draft formal opinion based on the Commission's request at the previous meeting. Mr. Woeste explained the staff's analysis in the current draft. Mr. Brachman asked that the staff consider the donor's interest in donating and that businesses consider donations as an expense when drafting the opinion. Mr. Nick stated that the draft formal will move to the Advisory Committee for input soon.

Mr. Nick introduced the activity report. Mr. Brachman asked for clarification regarding one opinion and Ms. Cly answered his questions.

Finally, Mr. Nick commended Mr. Woeste and Ms. Cly on their outstanding efforts in promptly producing high-quality opinions to requestors even amid an ever-increasing workload.

### EXECUTIVE DIRECTOR'S REPORT

Mr. Nick updated the Commission on recent discussions with legislators concerning HB 510 and SB 189, noting that the Commission's proposed debarment amendment was likely to be introduced in the House after the summer recess. He also updated the Commission on the pending biennial audit by the Ohio Auditor of State.

### LEGISLATION UPDATE

Mr. Hood reviewed the Legislation Report as seen in the packet noting that since the legislature is in summer recess, there is little to no legislative activity on the bills he is monitoring.

### PUBLIC EDUCATION AND INFORMATION

Ms. Willeke reviewed her report in the packet and added that should any attorneys on the board or on staff need CLE credit, they could contact her. Mr. Brachman inquired about the most recent times any of the five statewide elected offices have scheduled her for in person training on the Ethics Law. Ms. Willeke stated she will research that info and report back to the Commission.

### FINANCIAL DISCLOSURE STATISTICS REPORT/COMPLAINT REPORT

Mr. Ring reviewed the Financial Disclosure statistics as shown in the packet, noting that so far, over 95 percent of filers are using the online portal. He also reported that FDS staff sent warning letters via certified mail to those who had missed the general filing deadline. More than 30 filings have been received within the last week as a result. The next step for those who still have not complied will be the complaint process.

Molly Bruns reported that several complaints have been resolved recently through the prosecutor's office, including a case from 2010. Thirteen additional complaints are being prepared and Ms. Tracy has graciously volunteered to serve as the hearing officer in November for those complaints.

DATE OF FUTURE MEETINGS

The Commission set the next meeting for Friday, August 19, 2022, at 12pm. The Investigative Committee will meet the same day at 11am.

MOTIONS

Late Fee Waivers:

MOTION by Ms. Rutter, seconded by Ms. Tracy, to waive the late fees for the individuals listed in the packet report. Mr. Bailey, Ms. Kelley, Ms. Rutter, Ms. Tracy, Mr. Vander Laan, and Mr. Brachman voted "yes." The motion was approved.

Complaint Dismissals:

MOTION by Ms. Tracy, seconded by Ms. Rutter, to dismiss the financial disclosure complaints against the individuals listed in the packet report for good cause shown. Mr. Bailey, Ms. Kelley, Ms. Rutter, Ms. Tracy, Mr. Vander Laan, and Mr. Brachman voted "yes." The motion was approved.

Collections:

MOTION by Ms. Tracy, seconded by Ms. Rutter, to refer to the Attorney General's Office for collections the individuals listed in the packet report. Mr. Bailey, Ms. Kelley, Ms. Rutter, Ms. Tracy, Mr. Vander Laan, and Mr. Brachman voted "yes." The motion was approved.

The meeting was adjourned at 2:37 p.m.

These minutes are respectfully submitted by:

A handwritten signature in black ink, appearing to read "Paul M. Nick", is written over a light blue grid background.

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Paul M. Nick  
Executive Director