

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



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Paul M. Nick
Executive Director

OHIO ETHICS COMMISSION
MINUTES OF MEETING
OCTOBER 7, 2022

MEMBERS OF THE COMMISSION

Merom Brachman	Megan C. Kelley	Bruce 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 12:05 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. Bailey, Mr. Brachman, Ms. Kelley, Ms. Rutter, Ms. Tracy, and Mr. Vander Laan. Staff present: Executive Director Paul M. Nick, IT & FD Administrator Brian Ring, Deputy Director/General Counsel Jed Hood, HR & Fiscal Manager Alan Carlson, Advisory Attorneys Chris Woeste and Kristin Cly, and Investigative Attorney Nicole Candelora-Norman. Assistant Attorney General Beth Fligner joined the meeting at 12:25pm following the Executive Session.

EXECUTIVE SESSION

MOTION by Mr. Vander Laan, 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 12:07 p.m.

The Commission returned to open session at 12:25 p.m.

PREVIOUS MEETING MINUTES

The Commission reviewed the draft minutes from the August 19, 2022, Commission meeting.

MOTION by Ms. Kelley, seconded by Ms. Tracy, that the Commission approve the minutes of the August 19, 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 introduced the activity report and noted an increased number of opinion requests from State employees, particularly regarding revolving door questions. He noted Advisory staff updated the formal draft regarding gifts and public contracts and is currently researching several questions concerning the name, image, and likeness collectives and deals matter brought to the Commission by the Ohio State University. Mr. Brachman asked for clarification regarding one opinion and Mr. Woeste answered his questions. Mr. Vander Laan commented about a letter that the Commission issued, and Mr. Nick stated it was a past-facts matter but the Commission had recently released an opinion on the same topic, which would be reflected in the next Commission meeting's packet materials.

EXECUTIVE DIRECTOR'S REPORT

Mr. Nick reviewed the report in the packet discussing the Commissions modest budget increase request in general revenue funding for fiscal years 2024-2025 and summarized the goals this request would support in the next biennium. Mr. Nick referenced that staff has identified a case management software system that would benefit staff with utilization.

LEGISLATION UPDATE

Mr. Hood reviewed the Legislation Report and noted one addition to the report. Mr. Bailey asked about House Bill 358 and for clarification. Mr. Hood stated it is being tracked due to the potential impact this bill would have on ethics filers and reported information on their financial disclosure statement.

PUBLIC EDUCATION AND INFORMATION

In Ms. Willeke's absence due to a speech, Mr. Nick reviewed the report in the packet.

FINANCIAL DISCLOSURE STATISTICS REPORT/COMPLAINT REPORT

Mr. Ring reviewed the financial disclosure statistics in the packet and reminded members of the upcoming filing deadline for candidates in this year's general election.

DATE OF FUTURE MEETINGS

The Commission set the next meeting for Friday, November 18, 2022, at noon with the investigative committee meeting at 11 a.m. and the advisory committee meeting after the regular meeting has ended.

MOTIONS

Waiver of Filing Requirement:

MOTION by Ms. Tracy, seconded by Ms. Kelly, to waive the filing requirement for the individual 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.

Late Fee Waivers:

MOTION by Mr. Vander Laan, seconded by Ms. Rutter, 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 Mr. Bailey, seconded by Ms. Kelley, 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. Kelley, seconded by Mr. Bailey, to refer to the Ohio 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 1:00 p.m.

These minutes are respectfully submitted by:

/s/ Paul M. Nick

Paul M. Nick
Executive Director